

**FINAL ENVIRONMENTAL IMPACT REPORT**

**San Diego County General Plan Update  
DPLU Environmental Log No. 02-ZA-001  
State Clearinghouse (SCH) #2002111067**

**COMMENT LETTERS AND RESPONSES  
TO COMMENTS ON THE DRAFT EIR**

***INTEREST GROUP***

**Lead Agency:**

**County of San Diego  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123**

**Contact: Devon Muto, Chief of Advanced Planning**

**October 2010**

### **List of Commenters – Interest Group**

<b>Letter</b>	<b>Commenter</b>
G 1	Audubon Society
G 2	Back Country Coalition
G 3	Building Industry Association of San Diego
G 4	East County Construction Council
G 5	Endangered Habitats League
G 6	Farm Bureau of San Diego County
G 7	San Diego Association of Realtors
G 8	Save Our Land Values
G 9	Sierra Club



**Comment Letter G 1, Audubon Society**

**SAN DIEGO AUDUBON SOCIETY**  
 4891 Pacific Highway, Suite 112 • San Diego CA 92110 • 619/682-7200

Mr. Devon Muto  
 Department of Planning and Land Use  
 County of San Diego  
 5201 Ruffin Road, Suite B,  
 San Diego, California 92123

Via email: [gupdate.DPLU@sdcounty.ca.gov](mailto:gupdate.DPLU@sdcounty.ca.gov)

**SUBJECT: Statement by the San Diego Audubon Society on the County's General Plan Update DEIR**

Dear Mr. Muto:

The San Diego Audubon Society (SDAS) represents approximately 2,700 residents of San Diego County. Our purpose is to foster the protection of birds and other wildlife and to advocate for a cleaner, healthier environment. San Diego County is rich in sensitive habitat types and wildlife populations. It also contains a surprising number of wildlife species that are in decline and many that are threatened with extinction. The General Plan Update and how it will be implemented will have a definite impact on many of these species, either positive or negative.

G1-1. We strongly urge that the DEIR vigorously identify measures to protect the Multiple Habitats Planning Area, other sensitive habitat areas, habitat connectivity, open space, natural waterways, watersheds, water quality, and groundwater.

G1-2. We find much with which we are in agreement within the overall concept of the draft General Plan Update. We particularly like the transition to larger minimum lot sizes in much of the backcountry, and the emphasis on encouraging future development mainly in areas where development and supporting infrastructure already exists. We applaud the concepts in Guiding Principle 4. We endorse the Environmentally Superior Map Alternative. We feel that

G1-3. implementing these measures will tend to reduce potential environmental impacts.

We have concerns, however, with some specific areas of the Plan and DEIR, and with regard to those we offer the following comments and recommendations.

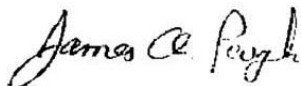
G1-4. We believe that Community Plans should not be less restrictive than the General Plan, and that communities should not be able to opt out of compliance with portions of the General Plan.

G1-5. The Plan and DEIR say a lot about climate change in order to comply with AB 32, but we feel it should be more specific as to how a potentially decreasing ground water supply will affect future development in the backcountry (here meaning areas of the County dependent on groundwater). If climate change reduces groundwater supplies, it seems there should be a required re-calculation of sustainable development capacities. Trucking in potable water (already being done in Lakeside) is not an acceptable solution.

**Comment Letter G 1, Audubon Society (cont.)**

- G1-6. One specific example of an area of concern to us is the northwest end of the Borrego Springs "donut hole". This is an area where there is known to be a severe ground water overdraft. Yet early versions of the new general Plan map would permit densities as high as one unit per 4 acres (1 d.u./4, 8, 16). Perhaps this has been changed; we certainly hope so. But if not, it is difficult to understand how such a rural and arid area, one immediately adjacent to a State Park and with declining water supplies, could be proposed for such a relatively high density. Even adjacent lands are in 20 to 80 acre lot categories, as are rural lands throughout the County.
- G1-7. The wording on p. 3-27 of the Plan to "Encourage programs to alleviate overdraft conditions in Borrego Valley" is very weak, and should be greatly strengthened. There is still one last chance
- G1-8. for the county to correct this inexplicable zoning map error in the area north of Borrego Springs, and make the minimum lot size there at least 20, preferably 40, acres. We urge that you do so.
- G1-9. There should be a Plan implementation policy that the County will not allow changes to lot sizes, approve subdivisions, or take any other action that would force expansion of the CWA water service area boundary. This should also be in the AB 32 implementation sections.
- G1-10. Also relating to AB 32, there should be more explicit policies for protecting inland watersheds, wetlands, and water dependent species from adverse effects of development under conditions of potentially decreased precipitation in the future.
- G1-11. In general, the Plan should be much more specific as to how the County will respond if local water supplies become increasingly diminished due to climate change induced desiccation.
- G1-12. Finally, we concur with all those who urge county fire protection plans, including those incorporated into the General Plan, to focus primarily on instructing (and mandating) residents on how to make their homes and property more fire resistant by using proven and reasonable defensible space concepts (the fire districts know what these are), and not promote massive fuel reduction concepts that are unproven and of questionable validity.

Sincerely,



James A. Peugh, San Diego Audubon Society Conservation Chair



Philip R. Pryde, SDAS representative to the General Plan Interest Group

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**Responses to Letter G 1, Audubon Society**

- G1-1 The County has included extensive measures within the DEIR to protect biological resources and water resources in the unincorporated area.
- G1-2 The County appreciates the support and the participation of the Audubon Society in the preparation of the General Plan Update. It should be noted that the proposed General Plan would not necessarily result in larger lot sizes in the backcountry but would result in lower densities.
- G1-3 The County acknowledges and appreciates this comment.
- G1-4 The County does not concur that community plans are less restrictive than the General Plan. Based on careful review, the County has found that the community plans are internally consistent with the rest of the proposed General Plan. Since the comment does not offer any supporting evidence to the contrary, further response is not provided. However, it should be noted that the following has been added to the Community Plan section of the Land Use Element:
- "As required by State law, the Community Plans must be internally consistent with the General Plan."
- G1-5 The General Plan Update and DEIR plan for and address the foreseeable future conditions. While the County agrees that climate change may affect groundwater supplies, and that planning changes would then be required, to plan for that scenario within the General Plan Update would be speculative. Also refer to Section 2.2.3 of the General Plan Update Groundwater Study which provides a discussion into the complexities of climate change's potential effect on groundwater supplies.
- G1-6 While it may seem counterintuitive, planning for higher density within Borrego Springs allows the potential for excessive water uses, which are the prime contributions to the overdraft conditions, such as agricultural irrigation in the area, to be converted to lower water use residential. One acre of irrigated agricultural land equates to 4 or 5 residential homes worth of water. For an area designated as 1 du/4 acres, conversion of agricultural land to residential would result in a significant reduction in water use (15 to 20 times less water over a 4-acre parcel).
- G1-7 The statement "Encourage programs to alleviate overdraft conditions in Borrego Valley," is just one component of Policy LU-8.2. This component is intended to provide support in particular to Borrego Valley Water District and the programs it is initiating to address groundwater supply. Individual projects are conditioned to mitigate for groundwater impacts. It should be noted that while the County's General Plan affects how water resources will be used in the unincorporated area, the County does not have jurisdiction over water supply and distribution. As such, stronger statements and policies regarding water/groundwater programs would be inappropriate.
- G1-8 The County does not agree with this comment. The proposal to increase residential density in some areas of Borrego Springs is intended to reduce groundwater

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**Responses to Letter G 1, Audubon Society (cont.)**

- consumption through conversion of on-going agriculture land uses to less water-intensive uses. Also see response to comment G1-6 above.
- G1-9      The County does not agree that an implementation policy is necessary that would prohibit changes to lot sizes or subdivision approvals that would force the County Water Authority (CWA) service boundary to expand. The County considered the CWA service boundary when developing the land use map. In addition, the Land Use Element includes policies that restrict the expansion of Village densities such as: LU-1.2 regional Categories Map Amendments, LU-1.3 Initiation of Plan Amendments, and LU-1.4 Leapfrog Development. Also, policy LU-14.4 Sewer Facilities limits the expansion of sewer facilities.
- G1-10     The County does not agree with this comment. Reasonable mitigating measures are implemented on a regular basis to reduce potential impacts of development on watersheds, wetlands, and water-dependent species. The County has initiated numerous ordinances, policies, and guidance documents to ensure that such impacts are minimized (e.g., Resource Protection Ordinance, Guidelines for Determining Significance, Watershed Protection Ordinance, etc.). However, protections for natural resources actually fall under the jurisdiction of other agencies such as the California Department of Fish and Game, the Regional Water Quality Control Board, and the US Fish and Wildlife Service. Policies that address potentially decreased precipitation conditions in the future are too speculative to incorporate into this General Plan Update or the DEIR.
- G1-11     The General Plan Update and DEIR plan for and address the foreseeable future conditions. To plan for different climate change scenarios within the General Plan Update would be speculative. Also see responses to comments G1-5 and G1-10 above.
- G1-12     The County agrees with this comment and strives to educate the public on reasonable defensible space concepts that minimize environmental impacts.

**Comment Letter G 2, Back Country Coalition*****Back Country Coalition***

Post Office Box 70 • Santa Ysabel, CA 92070 • 760-765-2132

August 31, 2009

San Diego County Planning Commission

Via electronic mail

**RE: Letter of Comment for the San Diego County General Plan Update  
Draft Environmental Impact Report – No. 02-ZA-001-SCH#2002111067**

- G2-1. The Back Country Coalition (BCC) is an organization dedicated to the protection of natural, cultural and scenic resources, promotion of responsible land use planning practices, and enhancement of quality of life throughout San Diego County.
- We have reviewed the subject Draft Environmental Impact Report (DEIR) for the latest iteration of the General Plan Update (GPU) project. Our comments in this communication focus on **Population and Housing, Public Services, Traffic, Water, Conservation Subdivision Program, and Alternatives** of the GPU DEIR.
- These comments are timely submitted to be considered for the Final EIR for the project. Please include this letter in the project file to be incorporated into the administrative record for the proposed GPU.
- 2.12 Population and Housing**
- Forecasted Population**
- G2-2. Population growth forecasts in the DEIR as indicated in section 2.12.1.1 Population Trends of the DEIR states, "By 2030, SANDAG forecasts that the population in the unincorporated area will increase to over 723,392 people or 63 percent growth compared to year 2000 population levels."
- G2-3. Population growth forecasts by SANDAG in year 2008 were derived prior to the present economic crisis that has resulted in people leaving San Diego and California because of the state's budget crisis and reduced services and salaries; a glut of housing stock as a result of foreclosures; precipitous decline in employment as businesses contract, fail or relocate outside the area, and families and friends combine households because of economic necessity due to job loss or shortened hours. The homeless population has also grown in San Diego County as a result of the economic disaster we are now experiencing. **See Attachment A for recent news articles about the increasing homelessness in San Diego County.**
- G2-4. It is therefore reasonable to assume that the population growth percentages as predicted for the unincorporated areas of San Diego County are overstated in SANDAG forecasts and used as a basis in the GPU DEIR "Population and Housing" section. The forecasts in the DEIR should be recalculated based on the present
- G2-5.
- G2-6.

## Comment Letter G 2, Back Country Coalition (cont.)

G2-6.  
cont.

economic conditions within the United States, California and San Diego County. Economic recovery is not expected anytime soon, and may never return to the previous economic fortunes that were still being experienced during the creation of the SANDAG forecasts. See:

**What Rebound? Foreclosures Rise as Jobs and Income Drop**  
<http://www.truthout.org/082109E?n>

The following block quotation is from the above article's link .

"The reason people are defaulting on these (loans) is they simply don't have income, and there aren't any loan modification programs for someone who does not have income," said Rick Sharga, the vice president of the Irvine, Calif., firm RealtyTrac, which specializes in foreclosure research.

G2-7.

"The trend will grow worse.

"The rising levels of unemployment will probably, over the next nine to 12 months, become the primary impetus for foreclosure activity," Sharga said. "That's the wave that is just starting to hit and we're just starting to see the problems now."

Kevin G. Hall, McClatchy Newspapers: "Delinquency and foreclosure rates for U.S. mortgages continued to rise in the second quarter, with loans to the most qualified borrowers going bust at an unnerving clip, especially in hard-hit states such as Florida and California."

G2-8.

Clearly, all population forecasts and demographics are no longer pertinent because of the economic crisis that began in September of 2008, continues today and will have dramatic consequences for future diminished population growth within San Diego County.

G2-9.

The DEIR for the General Plan Update contains information that is outdated to such an extent as to be irrelevant regarding Population and Housing forecasts. The extreme economic situation has been widely known throughout the United States for the last twelve months. Therefore, there **was time** to update the population forecasts to reflect the drastically altered economic situation in the county for the DEIR, but that has not been done.

G2-10.

G2-11.

Interestingly, in Section **1.13.2 Differences with SANDAG Population Model Forecast** (pg. 1-28) the DEIR states: "*SANDAG is currently preparing the next update to its population model, which **will likely result in lower population forecasts for***



## Comment Letter G 2, Back Country Coalition (cont.)

- G2-11. cont. *the unincorporated County due to a recent slow-down in regional growth and incorporated cities planning for a greater share of the growth.” (emphasis added) This statement reveals an admission by the county that it chose to ignore significant changes in the economic climate in San Diego County that would significantly alter population forecasts for the long term.*
- In Section 1.13, **County Population Forecast Model and Projected Growth**, the DEIR describes how the SANDAG model is similar to the County’s: “...but allows for customization to account for more specific data that the County maintains. Additionally, it allows the County to run the model at its discretion, rather than relying on periodic updates from SANDAG, which updates its population forecast every year.”
- G2-12. Also in Section **1.13.2 Differences with SANDAG Population Model Forecast**, (pg. 1-28) the DEIR states: “Because the SANDAG model uses different factors than the County’s model, differences in the resulting population forecasts have occurred. Historically, the difference between the two models for the 2030 population was nominal (within 10,000 people). **However, with the release of the SANDAG July 2008 forecast, this gap substantially increased to 45,122.**” (emphasis added)
- The DEIR states further: “Despite the difference in population forecasts between the County’s model and SANDAG’s model, **the higher number provided by SANDAG was incorporated into the environmental analysis where appropriate, such as in the Population and Housing section (see Chapter 2.12).**” Yet, there is no explanation for using the higher number. We must surmise, therefore, it is used to ramp up the building potential within the unincorporated areas of the county.
- G2-13. It can be therefore determined that the County, with its own population forecast modeling capability, has chosen to ignore the “recent slow-down in regional growth and incorporated cities planning for a greater share of the growth” to enhance development potential in the unincorporated areas of the county, rather than incorporate known economic factors that would create a much lower, more realistic and reasonable forecast of population growth over the span of the General Plan Update.
- G2-14. This is also highlighted when we learn from SANDAG’s Final Regional Comprehensive Plan, July 2004, page 40, it is in fact the County that provides the figures for SANDAG’s forecasts. The following quote is taken directly from a footnote on page 40 of that Plan, under “**Overview of the San Diego Region, Current Conditions and Future Trends**”:
- G2-15. “The 314,000 new homes projected in the forecast will consume almost all of the remaining housing unit capacity of the region under current local land use plans. Capacity estimates for the 18 cities are a joint effort of SANDAG and the local planning

## Comment Letter G 2, Back Country Coalition (cont.)

- staffs. Together, the staffs review detailed, large-scale maps of existing land use, planned land use, and potential areas of redevelopment (change of use) or infill development (intensification of the existing use). The planners indicate where within each planned density range development typically occurs, which often differs between vacant land and redeveloped land. Edits are made to SANDAG's GIS databases, and a new map and capacity estimate are produced. This process is reiterated with each city until they are satisfied that the estimate is reasonable and realistic. **For the unincorporated area, SANDAG used the GP 2020 population targets (in effect, a predetermined capacity), and the December 2002 Working Copy land use map for distribution.**" (emphasis added)*
- G2-15. cont. Moreover, SANDAG's "2030 Regional Growth Forecast Update: Process and Model Documentation" dated April 2008, discusses much the same process of San Diego jurisdictions, including the County, providing the information they use for their population forecast model;
- Page 6: *"Unlike most prior forecasts, the 2030 Regional Growth Forecast Update includes no assumptions about how local plans and policies might evolve over time in response to the region's continuing growth. The creation of the first Regional Comprehensive Plan (RCP) is one of the catalysts for taking a different approach to the 2030 Regional Growth Forecast Update. Rather than including assumptions regarding potential future plan changes, this forecast is based solely on the current, adopted general and community plans of the 18 cities. **For the unincorporated area, the forecast is based on the most recent (June 2006) draft of the County's General Plan update, as the Board of Supervisors feels that it most accurately reflects the County's future direction. Hence, the 2030 Regional Growth Forecast Update provides an assessment of where our plans of today, if left unchanged, likely will take us over the coming decades**." (emphasis added)*
- G2-16. It is clear that SANDAG has been using County population targets from the now-defunct GP2020 effort and an undefined 2006 County General Plan draft, and considers those targets to reflect "a predetermined capacity" that can be considered faulty planning at best and fraudulent misrepresentation by pretending to rely on "SANDAG studies" in an implication of superior expertise throughout the DEIR, when SANDAG's results are created by the County in the first place.
- G2-17. Even though the figures have been updated with the April 2008 SANDAG "Regional Growth Forecast Update" the DEIR unexplainably claims to use 2005 figures to determine build-out population, as evidenced in Section **1.13 Existing Population**: *"Each year SANDAG produces estimates of population and housing characteristics according to geographic areas within the County. The 2005 population estimates are used as the starting point to determine the build-out population."*



## Comment Letter G 2, Back Country Coalition (cont.)

- G2-18. There is, however, no evidence available within the DEIR as required by CEQA for meaningful review by the public and decision makers to ascertain the validity of the County's population forecast numbers that were derived from an unpublished 2006 draft General Plan, or what figures SANDAG was using for the 2005 population estimates the county used to determine build-out population, or why the county chose the higher population forecast figure by SANDAG over its own model which the DEIR claims (see paragraph above) to provide a more definitive forecast.
- G2-19. Consequently, without substantial evidence available for public review, the findings cannot be made of "Less than Significant Impact" for the GPU declared in Section 2.12 of the DEIR for Project Direct Impact, Project Cumulative Impact and Impact after Mitigation as they pertain to Population Growth, Displacement of Housing and Displacement of People because the information used to make those findings is either missing from evidence in the record or is no longer valid, as discussed in previous paragraphs.
- G2-20. The blatant misrepresentations in population growth figures, with no substantial evidence in the record to support why earlier, higher projections were used by the county, ignoring well-known declining population trends, combine to taint the findings in **every section of the GPU DEIR**. CEQA favors adequate information to be substantiated by evidence in the record that is clear for reviewers and decision makers to be provided in program and project level EIRs. The GPU DEIR fails to do that as demonstrated in the preceding paragraphs and article.
- G2-21.
- G2-22. CEQA disfavors deliberate misrepresentation, inaccurate and incomplete information in environmental review documents. The CEQA Guidelines (p. 414) state: "The project description must be accurate and consistent throughout the EIR. 'An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. *County of Inyo v. City of Los Angeles* 3d Dist. 1977) 71 Cal. App. 3d 185, 193 [139 Cal. Rptr. 396] (*County of Inyo*)."
- G2-23. The DEIR is incomplete and inadequate without the information related in the above paragraphs, information that was well known prior to July 1, 2009 when the GPU DEIR was released for public review. All Population Forecasts in the DEIR should be remodeled, along with concomitant extrapolations for impacts of future growth forecasts throughout all sections of the DEIR using up-to-date data and information, disclosed in a subsequent document and recirculated for public review.
- G2-24.
- 2.13 Public Services**
- G2-25. It was noted in these comments under the section titled "Population and Housing" that the County of San Diego has determined what it considers to be "reasonable" population growth for the future of the county, regardless of on-the-ground realities that may render

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-25. cont. the County's growth determinations to be not only unrealistic, but illegal and dangerous to public safety for reasons described in the following paragraphs.
- G2-26. Pg. 16 states: *"Increasing population and housing in areas that are not currently able to meet travel time goals would result in the need for new or expanded fire facilities to be constructed so that acceptable travel times can be met."*
- G2-27. That statement is unsupported by evidence in the record that this would be possible. There is no mechanism identified in the GPU DEIR to demonstrate there would be adequate funding for new fire facilities to meet the requirements of the proposed population growth in the unincorporated areas of the county. "Fair share contributions" by developers for future discretionary projects would be far less than the amount of money required to actually build a new fully equipped fire station with adequate personnel to serve the increased population in a timely manner. The "fair share contribution" would not be adequate to fill the gap and it is reasonable to assume the county would decide to approve projects with inadequate fire services, because of recent county decisions made that indicate public safety is not as important as processing projects and approving developments, leaving current residents exposed to higher risks of inadequate emergency responses. The following examples illustrate these facts.
- G2-28.
- G2-29.
- G2-30. On August 5, 2009, the San Diego County Board of Supervisors voted to subsume final decision making authority for fire safety of future development projects to DPLU personnel and relegate fire agency expertise to mere "recommendations" that could be disregarded for any project at the discretion of the Board of Supervisors simply by having a DPLU staff member disagree with the fire agency expert.
- That decision directly jeopardizes all residents in the unincorporated areas of San Diego County because decisions may be based on development interests as opposed to public safety by ignoring the "recommendations" for the benefit of their clients, development interests. (See Attachment B).
- G2-31. A letter dated July 16, 2009 from the Mussey Grade Road Alliance in Ramona to the SD County Planning Commission, expresses concerns regarding the language change as follows: *"This change would result in a diminishment of the power of fire agencies to set 'requirements and conditions' during the planning process. Instead, they would be relegated to offering 'comments and recommendations' that may be taken into account during the planning review process."*
- This change is completely unacceptable. It would significantly reduce fire safety and put citizens at risk. In fact, if, as maintained in the DPLU letter, this change will only 'clarify language to reflect current practices,' then we are very concerned that the cart is already before the horse and that the role of fire safety in the planning process has already been denigrated."* BCC shares those concerns.

## Comment Letter G 2, Back Country Coalition (cont.)

G2-32.

It is believed by many that the determination of fire safety change was made to allow a potentially catastrophic "shelter-in-place" scheme for the Stonegate project on Merriam Mountain, which is a Resource Conservation Area. Apparently, the long-standing RCA is being ignored for the benefit of the development. The county representative argued that the language change was a "global" issue. It is, therefore, reasonable to conclude that the language change will affect many other future projects, **notably those in the proposed Conservation Subdivision Plan that would reduce road standards to such a degree that fire fighting equipment and other emergency rescue vehicles would be unable to negotiate the substandard, narrow private roads on steep slopes with reduced turning radii.** Further discussion is included in Attachment B, a January 20, 2007 North County Times article:

*"During Friday's meeting, the Deer Springs fire board issued an eight-point document outlining why the plan was rejected. The reasons included:*

*- Relocating residents to predetermined safety zones within the project area is unacceptable;*

*- That the plan implicitly calls for a "shelter-in-place" concept;*

G2-33.

*- That the plan fails to deal with the effects of smoke;*

*- That it fails to address evacuation planning.*

*"This isn't a knee-jerk reaction. We've stated specific reasons why this plan was rejected," Tebbs [Bruce Tebbs, Deer Springs Fire District Director] said. "If they come back with a reasonable plan, with true shelter-in-place like bunkers or true fire evacuation ... we'll consider it."*

*Tebbs said the board isn't against development. "We're against insanity, and putting a city on top of the mountain that can't be defended."*

G2-34.

By ignoring fire experts and not requiring adequate evacuation roads or even an evacuation plan, the county is putting population growth and construction projects ahead of public safety considerations. Any overriding consideration to approve the Stonegate project as proposed would result in catastrophe in the likely event of wildfire. Losses, damages and deaths caused by the inability of fire fighters or emergency crews to respond to any emergency because of the overdevelopment and inadequate evacuation roads, would expose the county to judicial relief by the homeowner victims in the development. Adjacent neighborhoods that oppose the project and that receive damage as a result of out-of-control fires or impacted roadways during evacuation because of approval of the inadequately planned new subdivision, would also be entitled to just compensation.

## Comment Letter G 2, Back Country Coalition (cont.)

G2-35. The statement quoted above on page 16 of the Public Services section of the DEIR, "Increasing population and housing in areas that are not currently able to meet travel time goals would result in the need for new or expanded fire facilities to be constructed so that acceptable travel times can be met," must be intended as a suggestion, not a requirement because no travel times for fire fighters, evacuation roads or plans are being required.

G2-36. The county is using the shelter-in-place scheme to overbuild an area on mountain tops that are at high risk of being destroyed in wildfires with the mere hope that sprinklers and construction materials will save them.

G2-37. It should be noted that in the 2003 Cedar fire and the 2007 Witch Creek fire, the writer witnessed homes burning FROM WITHIN because the heat grew to ignition temperatures from the inside. What if people had been sheltering in place, hoping that the SIP scheme would save them? There were numerous deaths in the huge Australian conflagrations early this year where the residents in areas where homes were widely spaced, were depending on shelter-in-place to keep them from burning in the conflagration. They were wrong. The concept has been discredited, is too dangerous to consider for mountain tops with houses packed together and will present a huge liability for the county when a wildfire burns through it. Yet, the County of San Diego chooses to ignore those tragedies in favor of increasing unsustainable and dangerous developments.

G2-38. Moreover, the DEIR explains there are still areas unserved by fire protection services and will remain unserved with the adoption of the General Plan Update. To state that it represents .05 percent of the entire unincorporated county, is small comfort to those **who pay taxes and receive no fire protection service**. This is non-planning, is criminally negligent and a disgrace to any agency that would approve of this non-plan.

### **Unincorporated Areas with No Fire Protection (p.8)**

*"There are very few unincorporated areas (islands) not included within the service area of a public agency that provides fire protection services. Figure 2.13-2 identifies the location of those islands, which represent approximately 12,336 acres. This is less than 0.5 percent of the entire unincorporated area of the County.*

G2-39. *Annexation of these un-served islands into fire protection agencies is problematic because State law prohibits a transfer of property tax to fund the additional service area. Typically, residents living within these unserved islands rely on neighboring fire protection districts to respond, and absorb costs, or trust that CAL FIRE will be available and able to divert resources to structural fires. Service to unprotected areas is randomly provided by the surrounding agencies, which take action on a case-by-case basis after considering their resources and assessing the risk of not responding. This*



## Comment Letter G 2, Back Country Coalition (cont.)

- issue of unserved islands has been recognized by the LAFCO Commission and LAFCO staff is currently working with local fire districts and cities on possible annexation of these islands."*
- G2-39. cont. The above paragraphs from the GPU DEIR reveal the county's disregard for the people in the unincorporated areas with no fire protection. To state the county's position more clearly, it is essentially saying, "They may have protection or they may not – it's not our problem and we don't care."
- G2-40. The DEIR states on page 9: **"Prior to application of a project, a finding must be made that sufficient fire protection is available or will be available concurrent with the need for discretionary projects."** (emphasis added) We find this language to be empty rhetoric, and unsubstantiated for every project because the history of land use decisions made by the county for development expediency at the expense of public safety, as noted in preceding paragraphs.
- G2-41. Indeed, the following quotations proves the point: "Within the unincorporated region, topography, lack of public roads and highways, a prevalence of private roads that do not connect or permit through-access, plus large distances between fire protection and emergency medical facilities, prevent personnel from responding within the accepted travel time standards for protecting life and property." (GPU DEIR, Public Services, pg. 9).
- G2-42. The comment in the preceding paragraph demonstrates that the county has no intention of upgrading its inadequate roadways for the purpose of enhanced public safety. It must be noted that most of the admitted inadequacies are due to planning failures over many years where development interests have trumped public safety considerations. The same
- G2-43. planning is proposed to continue within the GPU, especially the Conservation Subdivision Plan where relaxing road standard rights of way, road widths and turning radii, as well as reducing steep slope construction restrictions in the Resource Protection Ordinance will create fire safety problems for new residents of those subdivisions. Fire equipment would be unable to intervene for wildfire or other emergency rescues on such steep, substandard roads. It is clear that irresponsible land use planning can be expected to continue in San Diego County.
- G2-44. Section 2.13.4.1 **Fire Protection Services** states: *Implementation of the proposed General Plan Update would have the potential to result in a substantial adverse impact associated with provision of new or physically altered fire protection facilities. Therefore, the proposed project would result in a potentially significant impact. However, implementation of the proposed GPU policies and mitigation measures listed above in Section 2 through 2.17 of the EIR would preclude potentially significant direct and cumulative impacts to below a level of significance. Therefore, the proposed project would not contribute to a significant cumulative impact associated with fire protection*

## Comment Letter G 2, Back Country Coalition (cont.)

	<i>services.”</i>
G2-44. cont.	That paragraph is addressing the on-the-ground impacts, because it is clear, based on the discussion in this section of this comment letter that the “protection services” provided for the residents of San Diego County are and will continue to be inadequate, individually and cumulatively.
G2-45.	BCC puts San Diego County on constructive notice that injuries and deaths will result because of the lack of infrastructure to properly serve county residents and deliberate planning of substandard roads without the advice of fire experts in the communities expected to be the victims of this inadequate public services planning.
G2-46.	The disregard for public safety exemplified in the Public Services section of the DEIR renders it inadequate to serve the public in a safe and responsible manner.
	<b>2.15 Traffic</b>
G2-47.	In reviewing Section 2.15, Traffic of the GPU DEIR, it was apparent by Table 2.15.3.4, Existing Conditions Roadway Lane Miles by LOS, that the communities that are planned for the greatest number of population growth, Fallbrook, Valley Center and Ramona are the very communities that have the most roadway and highway miles with LOS E and F: Fallbrook: LOS E = 11; F = 10 / Valley Center LOS E = 14 / F = 7 / Ramona LOS E = 21; F = 19.
G2-48.	Alpine, while not the target of the greatest proposed population growth, does have level of service problems with LOS E = 5 miles and F at LOS F = 7 miles. These levels of service may not seem onerous from a day-to-day perspective of inconvenience, except by those who have to contend with it, however, mere inconvenience can turn deadly when evacuation scenarios are in effect, such as was the case with the 2003 Cedar fire.
G2-49.	Numerous long, dead end roads have caused impossibility for residents in Alpine all to evacuate at once in a timely manner to avoid the flames of a firestorm. Substandard width roads created evacuation impossibilities when hundreds of evacuating vehicles and incoming fire equipment had to share too-narrow roads with deep curves, especially on over-long dead end roads with no secondary escape access. That scenario is being planned to continue into the future, according to the GPU DEIR.
G2-50.	It was only a miracle that the Cedar fire was put out at the west end of Alpine and the 2007 Witch Creek fire turned north away from Ramona and thousands of people stuck in traffic waiting to evacuate, not responsible planning by the county, that saved hundreds of lives.
G2-51.	Roadways with inadequate widths, turning radii and dead end roads collaborated with a gridlock of cars on 3-mile dead end road, Alpine Heights Road created a situation that

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-51. cont. took residents 3 hours to evacuate. Too many projects approved in Alpine south of I-8, approved with no traffic mitigation because of a ludicrous finding of “de minimus” project impact, ignoring the cumulative impacts, and too many dead end streets, created unreasonable and dangerous evacuation times: A family living one mile from I-8 inched along for 1 hour before reaching the freeway ramp.
- G2-52. These extremely serious and significant evacuation problems will be repeated in any future catastrophic event, with excessive growth proposed for Ramona adding to the potential death count. No improvements are planned for Alpine’s death trap LOS F roads or secondary evacuation routes for the numerous dead end streets.
- G2-53.
- G2-54. BCC participated in a San Diego Planning Commission Subcommittee on Public Road Standards held on June 5, 2009, and informed county staff and three Planning Commissioners present about the dangers existing in Alpine and Ramona should another evacuation scenario take place where people are unable to evacuate in a timely manner because of existing road conditions. Our letter dated June 29, 2009 is incorporated herein as Attachment C and describes the seriously dangerous conditions that have existed for years but have not received any attention from the county and are not being planned to be corrected as part of the General Plan Update.
- G2-55.
- The GPU DEIR admits in the following block quote to these substandard conditions on county maintained roads and planned future public and private roads in a general way but that does not make them acceptable, only acknowledged. **With foreknowledge of these conditions, and a statement that they will not be corrected, the county places itself at a very high risk of litigation if another firestorm claims lives and/or property in these areas.**
- G2-56. “3.0 Other CEQA Considerations  
San Diego County General Plan Update Draft EIR Page 3-14  
July 1, 2009  
**Issue 3 – Rural Road Safety: Implementation of the proposed General Plan would result in the adoption of a Mobility Element network that includes existing roadways with horizontal and vertical curves that are sharper than existing standards. This would be considered a potential transportation hazard. Additionally, the proposed General Plan Update may pose an increased risk to pedestrians and bicyclists by increasing and/or redistributing traffic patterns. Implementation of the proposed General Plan Update would also have the potential to result in hazards from at-grade rail crossings. The proposed General Plan Update policies and mitigation measures would reduce direct impacts to rural road safety, but not to below a level of significance.” (emphasis added)**
- G2-57. The County of San Diego hereby receives constructive notice that these hazardous road conditions exist, that they have known about them for many years and still are planning

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-57. cont. excessive population growth in the areas that could likely result in injury and death to human beings. **Communities whose roads have LOS E or F should be considered built out until the substandard conditions are corrected. Allowing these dangers to**
- G2-58. **continue, knowing they could cost hundreds of human lives is an act of criminal negligence.**
- G2-59. In an attempt to deflect liability for its irresponsible land use planning and well-known dangers, substandard roads, the county also has implied that Community Evacuation Plans would be implemented to facilitate evacuations in emergency situations, as if that should dismiss any road inadequacies or evacuation concerns the public may have.
- G2-60. **However, it is completely obvious that the best evacuation plan in existence does nothing if people cannot evacuate promptly because the roadways are inadequate and people cannot get out of harm's way in time.**
- The following block quote from the GPU DEIR reveals that the situation is well known to the County of San Diego and that mitigation measures would not reduce the impacts to below a level of significance. In fact, the problem would be exacerbated with the implementation of the Conservation Subdivision Program that would ALLOW substandard road widths, turning radii on steep slopes without input into the program by fire agencies.
- "2.15.3.4 Issue 4: Emergency Access, Guidelines for Determination of Significance***
- Based on Appendix G of the CEQA Guidelines and the County of San Diego Guidelines for Determining Significance, Transportation and Traffic, the proposed County General Plan Update would have a significant impact if it would result in inadequate emergency access.
- G2-61. **Impact Analysis**
- Inadequate emergency access and egress can occur as a result of an incomplete or not fully interconnected roadway network, such as inadequate roadway widths, turning radii, dead end or gated roads, one-way roads, single ingress and egress routes, or other factors. In addition to Mobility Element roads, a comprehensive network includes regional freeways and highways and local public, private, and fire access roads. This General Plan Update identifies a Mobility Element road network, but all types of roads must be considered to fully address emergency access. While the Regional Transportation Plan addressed the regional freeways and highways, community plans need to consider local public and fire access roads to fully address emergency access requirements.
- The lack of a comprehensive network can result in severe traffic congestion or blocked sole routes of ingress that limit the responsiveness of emergency vehicles or trap residents trying to flee during an emergency. **In addition, inadequate roadway widths and turning radii can make it difficult for personnel to maneuver rescue equipment**



## Comment Letter G 2, Back Country Coalition (cont.)

G2-61.  
cont.

in an emergency. Dead end and one-way roads and traffic can impair emergency access and cause delays in response if a wrong turn is taken. Gated communities, which are popular in the unincorporated areas, can also obstruct access for emergency vehicles and obstruct egress routes for residents fleeing in the event of an emergency such as a fire. Under the proposed General Plan Update, existing inadequate roadway widths, dead end roads, one-way roads, and gated communities, all of which have the potential to impair emergency access, would still occur. Therefore, this would be considered potentially significant impact and mitigation would be required.

Private roads also have the potential to impair emergency access. Private roads are often unpaved and poorly maintained, which poses risks to public safety, especially in high wildfire hazard areas. Dirt roads, or roads with potholes, may cause damage to fire apparatus vehicles and/or impede an emergency vehicle from accessing a site. Dirt roads pose additional safety concerns by having dust obstruct the view of evacuees during a firestorm, which can cause vehicles to drive off the road or into the fire, as demonstrated in the October 2003 wildfires in San Diego County. This problem is compounded in areas with existing populations that have only one point of access. Under the proposed General Plan Update, existing private roadways with the potential to impair emergency access would still occur. Therefore, this would be considered a potentially significant impact and mitigation would be required.” (emphasis added)

“Some existing roadway conditions within the rural areas of the unincorporated County could result in inadequate emergency response for the population anticipated under the General Plan Update. However, roadways that would be constructed as part of the proposed General Plan Update would be required to meet current State and County standards for adequate emergency access. Additionally, any future roadway construction proposed as part of the General Plan Update Mobility Element would be required to conduct environmental review pursuant to CEQA prior to approval. CEQA requires proposed projects provide detailed information on the potentially significant environmental effects they are likely to have, list ways in which the significant environmental effects would be minimized, and identify alternatives that would reduce or avoid the significant impacts identified for the project.”

G2-62.

With the Board of Supervisors’ usurpation from fire agencies of “requiring” fire safe standards on August 5, 2009, leaving the fire agencies with mere “recommendation” status, it is crystal clear why that action was taken by the county. The reason for the action was to override those pestersome fire agencies that demand adequate roadways for their equipment and other emergency vehicles, as well as safe planning for resident; not simply to facilitate development at any cost.

G2-63.

“To the extent feasible, significant, environmental impacts would be mitigated to

## Comment Letter G 2, Back Country Coalition (cont.)

G2-63. cont.	<p><b>below a level of significance. However, some environmental impacts associated with the construction of roadway facilities may be significant and unavoidable, such as impacts associated with transportation hazards such as impaired emergency access. Therefore, this would be considered a potentially significant impact and mitigation would be required.” (emphasis added)</b></p> <p>BCC and many others can ascertain for ourselves that there are not any mitigation measures being proposed that would make this GPU planning for unsafe roadways anything less than an outrageously obvious ploy to promote development at any cost, even human safety.</p>
G2-64.	<p><b>Mitigation measures in the GPU DEIR are inadequate to provide safety to the public with new roads for added population growth in communities with substandard roadways and LOS F conditions. The admission in the above DEIR paragraphs reveals the substantial evidence required that the GPU as proposed is dangerous and the DEIR itself inadequate because it does not propose safe planning practices. This is a complete betrayal of public trust, trust that depends on the county to act in the interest of residents and our safety be responsible land use planning.</b></p>
G2-65.	
G2-66.	<p><b>It has been demonstrated in these comments through the DEIR’s own language that the county is planning for more population growth than communities’ infrastructures can support, while admitting to unmitigated significant impacts.</b></p>
G2-67.	<p><b>Water Resources</b></p> <p>Preceding paragraphs of these comments under the Population and Housing section have established that the “reasonable” growth <i>the county has decided upon</i> has been used by SANDAG for its population growth projections. Therefore, there is no reason why a lowered population growth projection could not be made, based on the latest known conditions relating to dwindling imported and groundwater resources, ongoing drought conditions, uncertainty about global warming effects and reduced expectations of improved water resources within the county.</p>
G2-68.	<p>BCC has determined the Environmentally Superior Alternative as the best choice for the county for reasons outlined in a subsequent section discussing our selection. We do not, however, agree with the population growth projection determined for Ramona and other</p>
G2-69.	
G2-70.	<p>unincorporated areas in San Diego County, because of water and road infrastructure insufficiencies that are not adequately addressed in the GPU DEIR.</p> <p>The significant impacts associated with the General Plan Update’s population growth forecasts are, in fact, avoidable by the county selecting the Environmentally Superior Alternative and simply reducing the population growth forecast for Ramona and other infrastructure-challenged communities, to a reasonable, sustainable and manageable level</p>

## Comment Letter G 2, Back Country Coalition (cont.)

G2-70. cont.	<p>with proper planning. The implication, repeated consistently throughout the DEIR, that any lesser alternative to population growth does not achieve the GPU objective is nonsense and simply attempts to create the impression that lower population growth projections are not possible.</p>
G2-71.	<p>See section 4.4, <b>Analysis of Environmentally Superior Alternative:</b></p> <p>Hydrology and Water Quality = fewer dwelling units (SDCWA -8,946; outside SDCWA – 5,755 du) = fewer impacts; 4.4.2.13 Public Services = reduced need for fire, school and library facilities; 4.4.2.18 Fulfillment of Project Objectives: 3 &amp; 10 = less fulfillment; 8 objectives = similar fulfillment.</p>
G2-72.	<p>The DEIR details several factors that make its imported and groundwater analyses inadequate, resulting in <u>overestimating San Diego County's capacity for adequate water in the future for the existing residents because of the county's obstinate insistence on its projected population growth goal</u>. The factors not adequately addressed in the groundwater analysis include but are not limited to:</p>
G2-73.	<ul style="list-style-type: none"> <li>In "Utilities and Services," the DEIR states <i>"In the 2005 UWMPs, MWD, SDCWA and all 15 SDCWA member agencies that serve the unincorporated County determined that adequate water supplies would be available to serve <b>existing</b> service areas under normal water year, single dry water year and multiple dry water year conditions through the year 2030."</i> (emphasis added)</li> </ul> <p>Not all areas of San Diego County have adequate water supplies, according to the DEIR and the Groundwater Study, and as noted in subsequent paragraphs.</p> <ul style="list-style-type: none"> <li><i>"Because the proposed General Plan Update has undergone multiple revisions over the past years, the planning documents upon which various water districts rely to secure a sustainable long term supply of potable water to the unincorporated County, including UWMPs, IRPs and the Regional Water Facilities Master Plan, do not currently account for the growth proposed under the General Plan Update. <b>Therefore, the proposed General Plan Update would result in increases in population and housing in areas that may not have been accounted for in the most current water planning documents.</b> If the proposed General Plan Update is adopted, SANDAG and SDCWA will incorporate the new population and housing data for the County when they review the 'Regional Water Facilities Master Plan' in conjunction with the SDCWA UWMP."</i> (pg. 46) (emphasis added)</li> </ul> <p><b>Incorporating the new population and housing data in the Regional Water Facilities Master Plan would NOT create an adequate supply of water for county residents.</b></p> <ul style="list-style-type: none"> <li>An August 2007 federal court ruling (to protect endangered Delta smelt) set operational limits on pumping in the Sacramento-San Joaquin Delta from December 2007 to June 2008 to protect the Delta smelt. <i>"As a result of this ruling, MWD is estimated to</i></li> </ul>

## Comment Letter G 2, Back Country Coalition (cont.)

*see as much as a 20 to 30 percent reduction in SWP supplies in 2008 and beyond.”*  
(emphasis added)

*“Since the SDCWA and SDCWA member agencies import large quantities of water from MWD, their water supply has been impacted by this court ruling. As a result, local water agencies have had to rely on contingency and emergency sources of water, including local groundwater and storage supplies, to lessen direct impacts on water availability for their customers.”* (emphasis added)

- *“Additionally, climate change due to global warming also creates new uncertainties that significantly affect California’s water resources and lessen the reliability of the 2005 UWMPs.”*

G2-73.  
cont.

- *“In April 2009, the SDCWA, in response to reduced water supplies caused by regulatory restrictions on water deliveries from Northern California, lingering drought, and cutbacks from MWD, approved **cutting water deliveries to its member water agencies by 8 percent (effective July 1, 2009)**. To help achieve the required reduction in regional water use, SDCWA also immediately declared a Level 2 “Drought Alert” condition. That action enables the SDCWA’s 24 member agencies to adopt mandatory conservation measures for residences and businesses, such as use restrictions or tiered water rates that charge more for excessive water use.”* (pg. 47)

Due to the above noted discussions regarding omissions in planning for providing adequate water to the existing population of San Diego County in the GPU DEIR, it is unlikely that the supply and demand projections provided in the MWD, SDCWA and SDCWA member districts’ 2005 UWMPs accurately portray 2009 water conditions in the unincorporated county. Implementation of the proposed General Plan Update would increase both population and housing units within each county water district’s service area in a manner that is not currently planned for in the most recent (2005) water planning documents. **Therefore, the imported water forecasts are inaccurate and inadequate to provide for the proposed population growth projected to 2030 in the GPU DEIR.**

G2-74.

### **Pg 45 2.16.3.4 Issue 4: Adequate Water Supplies** **Guidelines for Determination of Significance**

*“Based on Appendix G of the CEQA Guidelines, the proposed County General Plan Update would have a significant impact if it would: 1) result in a demand for water that exceeds existing entitlements and resources, or necessitates new or expanded entitlements; or 2) substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume of a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits are granted).”* (pg. 3)

G2-75.



## Comment Letter G 2, Back Country Coalition (cont.)

- G2-75. cont. *“The SDCWA is responsible for ensuring a safe and reliable water supply to support the region’s \$130 billion economy and the quality of life for three million residents. Because of the County’s semi-arid climate and limited local water supplies, SDCWA provides up to 90 percent of the water used in the San Diego region, importing from a single supplier, MWD. Most of this water is obtained from the Colorado River and the SWP through a massive system of pipes and aqueducts. The SDCWA has determined that the best way to ensure a reliable water supply for the future is to diversify its water supply portfolio. Diversification includes water that originates locally, such as recycled water and desalinated seawater. The SDCWA Regional Water Facilities Master Plan serves as the roadmap for identifying a diverse mix of water supply sources and implementing the associated facilities and projects needed through 2030 to ensure safe and reliable supply.”*
- G2-76. **There is NO substantial evidence in the DEIR that supports the above statements proposed or discussed that the SDCWA Regional Water Facilities Master Plan has been adequately planned or has been approved or the “roadmap” would be adequate to “ensure safe and reliable water supply to county residents.” The above paragraph and other statements in the GPU DEIR lack the specificity required by CEQA to substantiate the claim that the plan would “ensure safe and reliable**
- G2-77. **supply.” There are in fact many statements that admit inadequate water supply, but only the most conclusory, superficial suggestion of how the significant impacts might be resolved, if mentioned at all. That would include existing county residents as well as those residents in the GPU DEIR’s proposed project population growth projections to 2030. The assertion of “identifying a diverse mix of water supply**
- G2-78. **sources” is just a statement of conjecture and unsubstantiated opinion. That is supported further in subsequent paragraphs in this letter regarding Ramona’s and**
- G2-79. **other unincorporated area’s water supplies juxtaposed to the county’s insistent on**
- G2-80. **excessive population growth projections for Ramona.**
- G2-81. The CEQA Guidelines (pg. 611) discusses this issue *in Stanislaus Natural Heritage Project v. County of Stanislaus* (5<sup>th</sup> Dist. 1996) 48 Cal. App. 4<sup>th</sup> 182 [55 Cal. Rptr. 2d 625]. “Reasonably foreseeable impacts must be analyzed in first tier documents. In *Stanislaus Natural Heritage Project v. County of Stanislaus* (5<sup>th</sup> Dist. 1996) 48 Cal. App. 4<sup>th</sup> 182 [55 Cal. Rptr. 2d 625], discussed at length in chapter XV (Water Supply Planning and CEQA, section B.2), the Court of Appeal emphasized that agencies may not use the first tier character of an EIR to excuse a failure to grapple with key environmental issues associated with a project.
- “The court explained that:
- [A] decision to “tier environmental review does not excuse a governmental entity from complying with CEQA’s mandate to prepare, or cause to be prepared, an environmental impact report on a project that may have a significant effect on the environment, with that report to include a detailed statement setting forth “[a]

## Comment Letter G 2, Back Country Coalition (cont.)

- significant effect on the environment of the proposed project.” (Pub. Resources Code, S 21100.)
- G2-81. cont. “The court added that that ‘tiering’ is not a device for deferring the identification of significant environmental impacts that the adoption of a specific plan can be expected to cause.” Id. App. 199. “Indeed, the environmental consequences of supplying water to this project would appear to be one of the most fundamental and general ‘general matters’ to be addressed in a first-tier EIR.” *Ibid.*; see also CEQA Guidelines, S 15152, subd. (b).”
- G2-82. The GPU DEIR states, “*In general, the majority of new development, approximately 80 percent, is planned within the SDCWA boundary. This development pattern directs future growth to areas where existing or planned infrastructure and services can support the growth within or adjacent to existing communities.*” **The community of Ramona is an area with excessive planned growth in the GPU DEIR. The DEIR does not address the issues of inadequate water and water facilities in Ramona as they relate to the excessive population growth planned for that community.**
- G2-83. **Moreover, other communities with inadequate water supply are admitted in the DEIR:** “*The results of the County Groundwater Study indicate that under buildout of the proposed General Plan Update, BSPCSD District and BWD would potentially have inadequate water supply to serve its service area.*” (p.52)
- The following is a discussion of the DEIR’s lack of adequate analysis and planning of water supply and waste water services for the Ramona Community Planning District:
- “Ramona Municipal Water District (Ramona MWD)**  
*The Ramona MWD provides water service to approximately 57 percent of the Ramona CPA.*”
- G2-84. “*Ramona MWD covers 45,796 acres and has approximately 8,839 connections. Ramona MWD operates 250 miles of pipeline, 13 lift stations, and the Lake Ramona Reservoir, which has a storage capacity of 12,000 AF. RMWD also has one treatment facility, the John C. Bargar Water Treatment Plant. This plant has a treatment capacity of 5.3 mgd. The average daily consumption for Ramona MWD is 10.86 mgd. Ramona MWD also provides wastewater service to customers within its service area. These services are discussed below in Section 2.16.1.2, Wastewater Collection, Treatment and Disposal.*” (pg.8)
- “*RMWD has a moratorium for new septic systems because of high groundwater, and would need a wastewater treatment plant for future development.*” (pg. 48)
- “*SDCWA member districts that would serve the largest population and number of housing units under the proposed project include OWD (79,539 housing units and 236,309 persons); PDMWD (74,422 housing units and 211,348 persons); HWD (31,915*

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-84. cont. *housing units and 94,295 persons); 2.16 Utilities and Service Systems and Ramona MWD (27,273 housing units and 83,719 persons). ” (pg. 46) (emphasis added)*
- G2-85. **“2.16 Utilities and Service Systems**  
*Water districts that are reliant upon groundwater may consider alternative supply sources such as trucking in water to supplement declining groundwater supply, importing groundwater from another basin, groundwater recharge and groundwater banking, or importing water from the SDCWA. However, these alternative supply sources are generally considered infeasible due to the required infrastructure improvements and expansions, extensive costs, lack of sustainability, and associated environmental impacts.”*
- G2-86. **That statement emphasizes one of many good reasons to adopt the Environmentally Superior Alternative over the proposed project alternative. To cause depletion of groundwater resources by deliberately overbuilding a groundwater dependent area, such as is being planned for Ramona, is unconscionable and ethically wrong.**
- G2-87. While BCC recommends adoption of the Environmentally Superior Alternative, we do
- G2-88. believe that inadequate planning has been done for Ramona and all impacts have not been fully analyzed or disclosed for public review in the GPU DEIR. The following comments from Attachment D, Ramona Sentinel, August 20, 2009, by Chuck Preble:
- “According to the RMWD, these themes are having a direct impact on the availability of land to store and dispose of effluent from the Santa Maria plant.*
- Four major areas are summarized in the RMWD draft response letter:*
- 1. Inadequate sewer capacity for the projected growth planned for RMWD.*
  - 2. Inadequate imported water for the projected growth.*
  - 3. A recommendation to change the Draft Environmental Impact Report (DEIR) findings on the impact to wastewater facilities from “less than significant impact,” to ‘significant impact.’*
  - 4. The failure to analyze impacts on groundwater basins that fall within the San Diego County Water Authority boundaries.*
- A groundwater analysis completed in the DEIR and the Ramona Community Plan assumes that development within the water authority service area will be supplied with imported water, and groundwater impacts will be minimized. RMWD has stated that as the cost of imported water increases, the trend would be for developments in the district to use groundwater (wells).*
- The approximate 7,000 additional housing units projected in the proposed General Plan Update has not taken into consideration the limitation of lack of land, land*

## Comment Letter G 2, Back Country Coalition (cont.)

- committed to open space or park lands. Without more land for spray fields and wet weather storage, the number of additional units in the district should be reduced to 1,400 in the proposed update, the district said.*
- G2-89. cont. *An addition of 1,900 housing units would require construction of new water treatment plants, pump stations, pipelines and potentially significant modifications to the water authority's supply pipelines. RMWD does not believe the land for all these facilities is available and, if it were, the financing may not be feasible."*
- Mr. Preble's article outlines the deficiencies in the DEIR by planning excessive population growth relative to the future of Ramona's adequate utilities and services, specifically, imported and groundwater supplies and waste water treatment facilities. The letter reveals the DEIR's inadequate analysis of the proposed project's full impacts on Ramona's water services and supply.
- G2-90. **Moreover, Table 2.8-6 in the GPU DEIR indicates that Groundwater impacted basins are going to go dry with the implementation of the proposed GPU project.** Seven of ten *"are expected to experience an estimated minimum groundwater in storage level of zero percent at maximum buildout. This reduction in groundwater in storage would substantially deplete groundwater supplies to a level that would not support the development of future land uses as designated in the proposed General Plan Update. Therefore, this would be considered a potentially significant impact."*
- G2-91. The situation in the above paragraph is also considered a completely unacceptable impact. County staff has previously stated that it plans to issue permits in ALL groundwater dependent areas of San Diego County "until they go dry." This reveals a callous lack of concern for human well being and may be indicative of why the county continues to try to place unreasonable and unsustainable amounts of population growth in Ramona and other unincorporated areas.
- G2-92. This reveals a callous lack of concern for human well being and may be indicative of why the county continues to try to place unreasonable and unsustainable amounts of population growth in Ramona and other unincorporated areas.
- G2-93. *"The option of curtailing development (i.e., no project alternative) in the unincorporated County in locations where sufficient water is potentially not available at build-out would be the responsibility of the County, which has the land use authority to approve or deny proposed development projects. **Reducing the development densities identified in the proposed General Plan Update would result in the proposed project not meeting its project objectives.**" (emphasis added) (pg. 49) However, we have heard and witnessed projects in the past that the county has approved and disregarded water supply concerns, such as Campo Hills in Campo, located over and dependent on a diminishing sole source aquifer. Statements such as are highlighted above about "meeting project objectives" would trump future arguments about insufficient groundwater supplies, and continue approving permits "until they go dry." This is the kind of planning disfavored by CEQA,*
- G2-94. *as identified in preceding paragraphs.*



## Comment Letter G 2, Back Country Coalition (cont.)

- G2-95. BCC does not believe any responsible agency or decision maker could approve a plan that would so severely impact communities within its jurisdiction as it is planning to do in Ramona and other areas of the unincorporated county clearly identified in the DEIR.
- Mitigation Measures**
- “The following mitigation measures would reduce impacts associated with water supply availability, although not to below a significant level.*
- G2-96. ***USS-4.1 Review General Plan Amendments for consistency with the goals and policies of the General Plan. This shall include designating groundwater dependent areas with land use density/intensity that is consistent with the long-term sustainability of groundwater supplies; locating commercial, office, civic, and industrial development in villages, town centers or at transit nodes; and ensuring that adequate water supply is available for development projects that rely on imported water.”*** (emphasis added)
- G2-97. **How can this be a mitigation measure when it is simply responsible land use planning and should be done with the adoption of ANY alternative? It is simply empty rhetoric because the DEIR has already been demonstrated to propose excessive population growth with inadequate water supplies.**
- G2-98. *“USS-4.2 Implement, and revise as necessary, the County Green Building Program with incentives for development that is energy efficient and conserves resources, including both groundwater and imported water.”*
- Why hasn’t this been done yet when it is such a prevalent program throughout California? This is not a mitigation measure, it is responsible land use planning.**
- G2-99. *“USS-4.3 Implement Policy I-84 requiring discretionary projects obtain water district commitment that water services are available. Also Implement and revise as necessary Board Policy G-15 to conserve water at County facilities.”*
- Board Policy I-84 should be already implemented and conservation at County facilities should have already been undertaken. This is not a mitigation measure to ensure adequate groundwater supplies, it is utilities and services planning that should have been implemented long ago because of the ongoing drought conditions in California.**
- G2-100. *“USS-4.4 Implement the Groundwater Ordinance to balance groundwater resources with new development and implement and revise as necessary the Watershed Ordinance to encourage the removal of invasive species to restore natural drainage systems, thereby improving water quality and surface water filtration. Also revise the Ordinance Relating to Water Efficient for Landscaping to further water conservation through the use of*

## Comment Letter G 2, Back Country Coalition (cont.)

	<i>recycled water.”</i>
G2-100. cont.	<b>This is also responsible planning and should be implemented without the need of revising the Groundwater Ordinance. This is another example of intelligent planning that should already be underway in the county.</b>
G2-101.	<i>“USS-4.5 Use the County Guidelines for Determining Significance for Groundwater Resources, Surface Water Quality, and Hydrology to identify and minimize adverse environmental effects on groundwater resources.”</i> <b>Why hasn’t this been in effect for years? That it is just now being proposed indicates a lack of concern by the county for residents dependent on groundwater resources.</b>
G2-102.	<i>“USS-4.6 Establish a water credits program between the County and the Borrego Water District to encourage an equitable allocation of water resources.”</i> <b>Discouraging grapefruit growers and golf course water usage in the Borrego Water District would be a better solution to groundwater depletion.</b>
G2-103.	<i>“USS-4.7 Coordinate with the San Diego County Water Authority and other water agencies to coordinate land use planning with water supply planning and support continued implementation and enhancement of water conservation programs”.</i> <b>This already should be happening for responsible planning of future growth.</b>
G2-104.	<b>These suggestions are not mitigation measures, but simply sound planning techniques automatically employed by jurisdictions that practice responsible land use planning.</b>
G2-105.	<b>“Table 2.8.6 Utility and Services Systems Summary of Impacts: Impact after mitigation: Significant and Unavoidable.”</b>
G2-106.	It is unacceptable to continue to plan for growth and process applications and permits for new developments in areas where finite resources are at such risk. It is not ethically or
G2-107.	legally right to subject current residents to greater impacts for population growth for its own sake merely to “obtain project objectives” and for the job security of staff at DPLU.
G2-108.	The inadequacies of planning for utilities and services revealed in these pages may be only a fraction of deficiencies that actually exist throughout the County of San Diego.
G2-109.	Indeed, there is a good reason the county’s Groundwater Study for the GPU DEIR recommends a moratorium for building in groundwater dependent communities. But, of course, that is an “infeasible” mitigation measure because “it would not meet project

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-109. cont. objectives” of growth at any cost.
- G2-110. Indeed, CEQA disfavors inaccurate, inadequate and incomplete environmental documents as these comments have demonstrated the GPU DEIR to be. The CEQA Guidelines (p. 414) state: “The project description must be accurate and consistent throughout the EIR. ‘An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. *County of Inyo v. City of Los Angeles* 3d Dist. 1977) 71 Cal. App. 3d 185, 193 [139 Cal. Rptr. 396] (*County of Inyo*).”
- G2-111.
- G2-112. BCC foresees legal challenges to the county’s approval of any General Plan that would imperil its residents through such significantly inadequate planning as has been proposed for Ramona and other communities in any Alternative to the General Plan Update project.
- G2-113. The General Plan Update needs to go back to the drawing boards with qualified professionals making adequate analyses and staff making responsible and reasonable decisions for sustainable population growth projections, analyzing true impacts and mitigation measures that would actually reduce impacts to below a level of significance, instead of forcing future population growth where it cannot be safely sustained in future years.
- G2-114. Nowhere is responsible planning more important than for groundwater dependent communities.
- Conservation Subdivision Program**
- G2-115. BCC has reviewed the proposed Conservation Subdivision Program (CSP). We believe there is a need to conserve resources in San Diego County and we agree that clustering housing is a key method of avoiding significant impacts to environmental resources.
- G2-116. We’re pleased that this program is being adopted by San Diego County as a planning tool for future projects. We are also pleased that individual communities will have the ability to accept or reject such proposals, depending on compatibility with community plans and visions, as indicated in the DEIR.
- G2-117. While the CSP is not specifically set forth in the San Diego County General Plan Update DEIR for project review, it is mentioned and referred to throughout many of the DEIR sections we have reviewed and others\*, therefore, we believe it is appropriate to consider this a part of the General Plan Update and the CSP should be included in the DEIR in its entirety for review at the same time as the DEIR. That is because there are unanswered questions remaining regarding some impacts that could remain significant and unidentified in the DEIR, potentially creating an inadequacy in even the program DEIR that does not have the same degree of specificity as later tiered EIRs.
- G2-118.
- G2-119. **“Mitigation Measures**  
**USS-3.1** Amend the Subdivision Ordinance to add additional design requirements for

## Comment Letter G 2, Back Country Coalition (cont.)

subdivisions that encourage conservation oriented design. Also amend it to require new residential development to be integrated with existing neighborhoods by providing connected and continuous road, pathway/trail and recreation/open space networks. This will reduce scattered development footprints and increase pervious surfaces in site design, thereby minimizing the need for new stormwater drainage facilities.

**USS-3.2** Prepare Subdivision Design Guidelines that establish a process to identify significant resources on a project site, identify the best areas for development and create a conservation oriented design for both the project and open space areas.

**USS-3.3** Use the County Guidelines for Determining Significance for Surface Water Quality and Hydrology to identify adverse environmental effects on water quality.

**USS-3.4** Implement the LID handbook and establish LID standards for new development to minimize runoff and maximize infiltration.

**USS-3.5** Evaluate the environmental effects of all proposed stormwater drainage facilities and ensure that significant adverse effects are minimized and mitigated.”

G2-119.  
cont.

The CEQA Guidelines (pg. 89) defines “project” to mean the whole of an action that may result in either a direct or reasonably foreseeable indirect physical change in the environment. CEQA Guidelines, § 15378, subd. (a). “Project is given a broad interpretation in order to maximize protection of the environment.” *McQueen v. Board of Directors of the Mid-peninsula Regional Open Space District* (6<sup>th</sup> Dist. 1988) 202 Cal. App. 3<sup>rd</sup> 1136, 1143 [249 Cal Rptr. 4390 (*McQueen*)]. In general, the lead agency must fully analyze each “project” in a single environmental review document.”

The CEQA Guidelines (p. 91) describes “*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376, 396 [253 Cal. Rptr. 426] (*Laurel Heights*), the court declared that ‘an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable *consequence* of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effect.’” (Italics added.)

And, “In the authors’ view, the most significant aspect of their formulation is the element of *causation* implicit in it.”

“Notably, the Supreme Court’s focus in *Laurel Heights I* on the element of causation is consistent with the definition of ‘project’ found in Public Resources Code section 21065, which extends the concept only as far as the ‘reasonably foreseeable indirect physical change’ *caused* by a particular action. That statute generally defines ‘project’ as ‘an activity which may *cause* either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment[.]’ (Italics added.)”

G2-120.

Moreover, the following ordinances are proposed for changes that could have direct or indirect adverse impacts on the environment, but are not included in the DEIR for review.

## Comment Letter G 2, Back Country Coalition (cont.)

G2-120.  
cont.

### 7.0 Proposed General Plan Update Policies and Mitigation Measures

San Diego County General Plan Update Draft EIR Page 7-60, July 1, 2009

**Haz-4.4 Create a Conservation Subdivision Program that facilitates conservation oriented, fire-safe, project design through changes to the Subdivision Ordinance, Resource Protection Ordinance, Zoning Ordinance, Groundwater Ordinance, and other regulations as necessary. (emphasis added)**

San Diego County General Plan Update Draft EIR Page 1-15, July 1, 2009

#### **1.8.5 Resource Protection Ordinance (RPO)**

County of San Diego Code of Regulatory Ordinances Sections 86.601-86.608, the RPO, would be amended to allow some additional flexibility in project design while still protecting significant natural resources. **The amendment would allow additional encroachments within steep slopes for certain development when necessary to avoid particularly sensitive resources. Also as part of this amendment, the slope-based density calculations would be removed since they have been integrated into the proposed Land Use Element. (emphasis added)**

#### **1.8.6 Groundwater Ordinance**

County of San Diego Code of Regulatory Ordinances Sections 67.701-67.750, the Groundwater Ordinance, will be updated to incorporate the recommendations from the groundwater technical study (Appendix C) and to accommodate conservation-oriented project designs.

**Section 67.721 of the Groundwater Ordinance** will be revised to take into consideration current methodologies for identifying a long-term adequate groundwater supply for projects. In addition, potentially impacted basins and areas susceptible to low well yield shall be considered for inclusion on the County Groundwater Limitations Map as groundwater impacted basins. Moreover, the Groundwater Ordinance will include a process **for waiving the minimum lot size requirements within subdivisions that consolidate the overall development footprint and provide sufficient open space. A provision will also be added to allow the placement of wells within open space or other common areas to achieve adequate spacing on projects with smaller lot sizes. (emphasis added)**

### **1.0 Project Description, Location, and Environmental Setting**

#### **1.8.7 Subdivision Ordinance**

Several changes are proposed for the County of San Diego Code of Regulatory Ordinances

Title 8, Division 1, the **Subdivision Ordinance**, in order to implement proposed General Plan elements and allow for improved subdivision design. For example, Policy 1.10 of the Land Use Element requires changes to the ordinance in order to permit the transferring of units between designations on contiguous land within a project site (under the specified criteria). In addition, the proposed Mobility Element would prompt some changes in the Subdivision Ordinance to promote safe and effective transportation networks consistent with development patterns. The Subdivision Ordinance would also



## Comment Letter G 2, Back Country Coalition (cont.)

be modified to include design criteria for projects in rural lands. **Furthermore, a process would be established within the Ordinance to waive certain lot configuration requirements when various constraints make standard subdivision design infeasible. This would potentially allow more flexibility in the design process when environmental issues such as natural resource protection, fire protection, and land-use compatibility take precedence on a given site.** (emphasis added)

### **\*GPU DEIR References to the Conservation Subdivision Program**

San Diego County General Plan Update Draft EIR Page 2.13-28 July 1, 2009

#### **2.13.6 Mitigation, 2.13.6.1 Issue 1: Fire Protection Services**

The following General Plan Update policies and mitigation measures would reduce the proposed project's direct and cumulative impacts related to the construction or expansion of fire protection facilities to a level below significant.

#### **Proposed General Plan Update Policies**

**Policy LU-1.6: Village Expansion.** Permit new Village Regional Category designated land uses only where contiguous with an existing or planned Village and where all of the following criteria are met:

- Potential Village development would be compatible with environmental conditions and constraints, such as topography and flooding;
- Potential Village development would be accommodated by the General Plan road network;
- Public facilities and services can support the expansion without a reduction of services to other County residents; and
- The expansion respects and enhances community character, the scale, and the orderly and contiguous growth of a Village area.

**Policy LU-6.4: Sustainable Subdivision Design.** Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and, when appropriate, provide public amenities consistent with the applicable community plan. (emphasis added)

### **7.0 Proposed General Plan Update Policies and Mitigation Measures**

San Diego County General Plan Update Draft EIR Page 7-49, July 1, 2009

#### **7.2 Mitigation Measures, 7.2.1 Aesthetics**

##### **7.2.1.1 Issue 1: Scenic Vistas**

**Aes-1.5 Create a Conservation Subdivision Program that facilitates conservation-oriented project design.** (emphasis added)

### **CHAPTER 7.0 PROPOSED GENERAL PLAN UPDATE POLICIES AND MITIGATION MEASURES**

San Diego County General Plan Update Draft EIR Page 7-51, July 1, 2009

**Agr-1.3 Create a Conservation Subdivision Program that facilitates conservation-**

G2-120.  
cont.

## Comment Letter G 2, Back Country Coalition (cont.)

- oriented project design through changes to the Subdivision Ordinance, Resource Protection Ordinance, Zoning Ordinance, Groundwater Ordinance, and other regulations as necessary with the goal of promoting conservation of natural resources and open space (including agricultural lands) while improving mechanisms for flexibility in project design so that the production of housing is not negatively impacted.** (emphasis added)
- G2-120. cont. 7.0 Proposed General Plan Update Policies and Mitigation Measures  
San Diego County General Plan Update Draft EIR Page 7-54, July 1, 2009  
**7.2.4 Biological Resources**  
**7.2.4.1 Issue 1: Special Status Species**  
**Bio-1.1 Create a Conservation Subdivision Program that facilitates conservation-oriented project design through changes to the Subdivision Ordinance, Resource Protection Ordinance, Zoning Ordinance, Groundwater Ordinance, and other regulations as necessary.** It is intended that these changes will promote conservation of natural resources and open space while improving mechanisms for flexibility in project design so that production of housing stock is not negatively impacted. Additionally, any such allowances of flexibility must be done with consideration of community character through planning group coordination and/or findings required for project approval. (emphasis added)
- G2-121. The claims made in the DEIR pronouncing mitigation measures to be “adequate” or reduce significant impacts, along with general comments about the Conservation Subdivision Program cannot be ascertained by reviewers and decision makers unless the CSP information is provided in the environmental document, along with the ordinances containing the proposed revisions, for review AT THE SAME TIME, as the above CEQA citation attests.
- G2-122. The following are a few of the questions that remain about the Conservation Subdivision Program that should have been addressed in the GPU DEIR.
- G2-123. **CSP Component #1: Subdivision Ordinance Addition**  
Question: The second paragraph under the above heading suggests that the CSP is the only subdivision plan that would be accepted by the county for the indicated land use density areas. The language states the CSP is intended to “encourage” subdivision design meant to protect environmental resources; it does not state that CSP designs are the only subdivision designs acceptable, or mandated in the specific zoned areas stated. Is this correct, or is CSP mandatory for any subdivision in the indicated zones?
- G2-124. Q. Would the provisions/requirements of the CSP be available singularly or in multiples, such as reduced steep slope calculations and substandard road dimensions, to other developments not wishing to participate in the CSP, or would they be specifically confined to the CSP?

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-125. 2. "Development shall be consolidated to the maximum extent permitted by county regulations."
- Q. What is the minimum allowable lot size for the CSP?
- G2-126. 3. "The development footprint shall be located and designed to maximize defensibility from wildland fires and to accommodate all necessary fuel modification on-site."
- Q. Would the fuel modification area be taken from the conservation open space designation percentage or from the developed area percentage of the CSP project?
- G2-127. 4. "RPO exceptions to steep slopes shall be limited to the minimum necessary to achieve the goals of the CSP."
- Q. What is the maximum grade that would be allowed for exemption?
- G2-128. Q. Would the steep slope exceptions to the RPO be allowed in any other subdivision project, or would it be limited to CSP projects?
- G2-129. 5. "Roads shall be designed to minimize impacts to environmental resources. Such design standards may include siting roads to reduce impacts from grading, using alternative permeable paving materials and methods, reduced paved road widths and smaller curve radii consistent with applicable public safety considerations."
- Q. What does "consistent with applicable public safety considerations" include?
- G2-130. Q. Have fire marshals and fire agencies been included in determination of the changes in the road standards? If not, why not?
- G2-131. Q. What is the maximum road grade that would be approved?
- G2-132. Q. Would fire and rescue equipment be easily accommodated on the CSP designed roads in times of emergency or evacuation?
- G2-133. Q. Could the residents evacuate safely on the CSP roads at the same time the emergency vehicles enter the CSP development?
- G2-134. Q. Would secondary access for fire and emergency vehicles be required?
- G2-135. Q. San Diego County Public and Private Road Standards available online appear to be out of date (Public Road Standards dated 1999 and Private Road Standards are not dated) and do not reflect the new road width reductions and smaller curve radii. Why are the new county road standards not available for review with the introduction of the CSP?
- G2-136. 6. "Areas avoided from development shall be protected with open space or conservation easements and shall follow the design standards set forth below."



## Comment Letter G 2, Back Country Coalition (cont.)

- G2-136. cont. v. Unique and/or sensitive resources shall be protected in the core of open space areas to the maximum extent practicable or suitable buffers shall be provided to protect these resources.”
- G2-136. cont. Q. What is a “suitable” buffer – fencing? signage? and how would it accomplish protection of the resources?
- G2-137. Q. How would the “suitable buffer” protect the resources against predatory pets, incursions by people, offroad vehicles, pollution such as petrochemical dumps, trash, noise, lights, pesticides, invasive species, etc.?
- G2-138. “vi. Resources shall be avoided and placed in open space pursuant to the percentage indicated on Table 81.40. The avoided lands shall be protected with an easement dedicated to the County of San Diego or a conservancy approved by the Director.”
- G2-138. Q. Is the County of San Diego now prepared to enforce and maintain the open space easements dedicated to it? If not, please explain how such dedication benefits the resources.
- G2-139. Q. Please explain the maintenance/monitoring mechanism the county plans to incorporate for CSP conservation open space easements dedicated to it and demonstrate how it would be effective.
- G2-140. Q. Does the county understand that conservancies require a substantial maintenance endowment for the open space to be made before it will place property under its protection?
- G2-141. Q. Is the county hoping that a future homeowners’ association will protect and maintain the open space easements?
- G2-142. v. “The required open space shall be maintained as open space for as long as the lots created through this provision of the Ordinance remain, except in circumstances where a need to vacate is required for public health, safety or welfare.”
- G2-142. Q. It appears that fire protection agencies have not been involved in the planning of the Conservation Subdivision Program. Consequently, the last phrase of the above quoted provision implies that the conservation open space could be deemed a fire danger to the residents and set aside for future development. Why would that not be a reasonable expectation?
- G2-143. Q. Could future fire experts determine a secondary evacuation road would be needed for the safety of the residents of the CSP houses and order vacation of the conservation open space easements?
- G2-144. Q. If the residents decide to use the open space for recreation, how would enforcement of protection of the conservation open space resources be accomplished?

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-145. Q. Would the county undertake restoration of damaged conservation open space easements or would it require the homeowners to do that?
- G2-146. Q. The Director of DPLU stated several years ago that the county does not protect open space easements dedicated to it and residents must sue offenders in civil court with their own resources. Is that still the case?
- G2-147. Q. If so, how would environmental resources benefit by protection of the open space being dedicated to it?
- G2-148. Table 81.401.1 indicates the percent avoided resources by land designation.  
Q. Will there be exceptions to these percentages to accommodate additional housing, or will the county hold fast to them?
- G2-149. Q. If there would be exceptions allowed to percentages of conservation open spaces in the CSP, why would they be allowed, other than for the reduction to accommodate "group" and "lot use" open space?
- G2-150. Page 4. "3. Accommodating Flexibility in Subdivision Design- Zoning Ordinance Minimum Lot Sizes" states that "General Plan Update staff will work with each community to receive input and formulate target minimum lot sizes which are applicable and specific to each community."  
Q. What input in developing the CSP was received from outside DPLU, that is, did DPLU staff come up with all the criteria or were outside interests involved?
- G2-151. Q. If outside interests were involved in developing the CSP, who were they and what interests did they represent?
- G2-152. Q. Why was the general public not included in developing the CSP that is about to be adopted?
- G2-153. Q. Does the above statement mean that "each" community must agree to have the CSP whether it wants to or not, previous statements in the DEIR and at public meetings of not requiring compliance by every community notwithstanding?
- G2-154. Q. Can provisions in the CSP as adopted be changed with no public review?
- G2-155. Q. If a community planning or sponsor group determines that a particular CSP is not in keeping with its community character, would staff override its wishes and process an application anyway?
- G2-156. "Resource Protection Ordinance Slope/Density Restrictions" indicates that the county will be moving "slope-based density calculations to the Regional Land Use Element of the General Plan."

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-156. cont. Q. Would requirement of “sufficiently conserving other sensitive lands and meeting preserve design guidelines” ever be waived to allow non-CSP projects to take advantage of the reduced steep slope protections without meeting that standard?
- G2-157. Q. What amount of conservation constitutes “sufficient” or is it a moving target not especially concerned with identifying or defining sufficiency? Being an indefinite requirement leaves the CSP open to abuse.
- G2-158. “CSP Component #4: **Planned Residential Developments (PRD)**” shows a different table of required “Percent Conservation Open Space” from Table 81.401.1, page 3, “Percent Avoided Resources” that states “resources shall be avoided and placed in open space pursuant to the percentage Table 81.401.1,” which are 75, 80, 85, 90, 95.
- On page 5, Section 6600 of Zoning Ordinance discusses revising the “usable” open space to allow for “group usable open space.”
- “Percent Conservation Open Space reduced to 25, 40 and 80 to accommodate “group open space” if private open space cannot satisfy the requirement” (pg. 5)
- Q. What is the difference between “group” open space and “usable open space per lot?” Where are the “group” open space percentage restrictions listed in the draft CSP, or is it another moving target to reduce environmental resource protection in favor of more houses?
- G2-159. Section 67.721 of the **Groundwater Ordinance** will add a provision “to allow the placement of wells within open space or other common areas to achieve adequate spacing on projects with smaller lot sizes.”
- Q. Would the placement of wells and the roads leading to them take area away from the conservation portion of the subdivision?
- G2-160. The CSP and ordinance changes to facilitate it have inconsistencies at the outset, contrived to benefit the maximum development at the expense of protecting resources.
- G2-161. The open space “flexibility” renders the “conservation” in Conservation Subdivision Program meaningless because waivers and exemptions would be allowed even from the lesser percentage “revised” conservation open space.
- G2-162. **Moreover, it is not adequate roadways that are creating destruction of environmental resources; it is the actual developments that create the need for the roads. The excessive and unnecessary population growth proposed by the GPU**
- G2-163. **DEIR is not going to protect resources or cause “sustainable” growth because of substandard roads.** That is the reason the revised Public and Private Road Standards are not included for public review – they reveal the extent of the county’s desire to force development in communities with inadequate infrastructure and the county plans to make the situation worse by accepting subdivision development projects easier for developers
- G2-164.

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-164. cont. no matter the cost to human safety. The following block quotation from the GPU DEIR illustrates these points:
- “3.0 Other CEQA Considerations  
San Diego County General Plan Update Draft EIR Page 3-6, July 1, 2009  
**3.1.3.2 Regulatory Obstacles to Growth**  
*The elimination or change in regulatory processes, including existing plans, policies and ordinances, would potentially result in the removal of restrictions to growth, which would allow for new or increased population growth to occur. The General Plan Update includes the revision and/or deletion of some existing County plans, policies and regulations in an effort to streamline development and permitting processes so that the densities accommodated by the General Plan Update can be achieved. **The effect of these regulatory changes would result in the removal of obstacles to growth.** A discussion of the planning and regulatory components that would be revised to be consistent with the General Plan Update is provided in Section 1.8,*
- G2-165. *Other Project Components. These components include community plan updates, specific plan changes, agricultural preserve modifications and deletions, and a number of ordinance revisions including the RPO, Groundwater Ordinance, Subdivision Ordinance, and Zoning Ordinance. Changes to these plans, policies and regulations would have the potential to remove an obstacle to growth in the unincorporated County. For example, as discussed in Section 1.8.5, the RPO would be amended to allow some additional flexibility in project design while still protecting significant natural resources. Another example, as discussed in Section 1.8.4, would be the removal of a building moratorium associated with GPA 92-01 in certain areas of the Central Mountain Subregion. Both of these examples would have the effect of removing an obstacle to growth. While removal of these regulatory obstacles may induce growth in some areas compared to growth that would be allowed under existing regulatory processes, new growth would be consistent with the General Plan Update and would not be unplanned growth”(emphasis added)*
- G2-166. **Unplanned growth is not the worst thing if the growth that is planned is for the sake of growth and development interests and ignores risks and hazards to the environment and to the public attendant on that growth.**
- G2-167. In reviewing Attachment C: Draft Resource Protection Ordinance Amendment, we notice that the RPO is referred to as a “Chapter” throughout the document. We infer that, because it is still titled as an ordinance and described as an ordinance throughout the GPU DEIR, the term “Chapter” will not make a difference in its authority to regulate what is left of it.
- G2-168. In reviewing the GPU DEIR, we found additional areas of concern with findings as they relate to the Conservation Subdivision Plan and are discussed in the following paragraphs.

## Comment Letter G 2, Back Country Coalition (cont.)

### County of San Diego Groundwater Study

- G2-169. Section 2.9, Potential Groundwater Problem Areas, 2.9.1 Large Quantity/Clustered Groundwater Users” indicates on page 48 that “groundwater impacts will be considered potentially significant in identified areas of the county which have a high frequency of wells with low well yield.”
- G2-170. BCC has reviewed projects for many years and, as noted in the Water section of these comments, the County of San Diego does not deny permit application because of low well yield, possibly unless there is no water whatsoever. Clustered developments are especially risky for new homeowners as well as current residents using the aquifer, especially on fractured rock aquifers, as noted in the following excerpts from the GPU DEIR.
- G2-171. Page 61 of the Groundwater Study states that “. . .the General Plan Update Environmentally Superior Alternative could be selected to minimize future development potential in areas identified as potentially significant. **It is recommended that the land use densities within the Environmentally Superior Alternative be revised (as necessary) within these areas to allow only large rural lots.**” (emphasis added) BCC concurs with the groundwater experts who prepared the study. Not that the CSP would be unviable in all parts of the county, but groundwater is a finite and precious resource and should be protected by responsible land use planning.
- G2-172. Moreover, the Groundwater Study states under “Recommendations” on page 6: “Also, regulations. . .should be reviewed to take into consideration current methodologies for identifying a long-term groundwater supply for projects.” It seems amazing that optimum regulations for identifying long-term groundwater supply for projects would not have been a long standing recommendation, considering so many groundwater users combined with such excessive population growth projected for it by the county, projections which have not decreased in the last ten years of the General Plan update’s development.
- G2-173. That lack of identification of long-term groundwater supply for projects reveals a disregard for the safety and well being of county residents who are dependent on an adequate, continuing supply of groundwater for a normal quality of living. This is especially the case for residences dependent on water in fractured rock aquifers and diminishing sole source basins.
- G2-174. On page 2.8-3, the GPU DEIR discusses Groundwater Hydrology Issues: “Wells in a fractured rock aquifer typically yield relatively low volumes of water. In some instances, wells may derive water from only a few water-bearing fractures. Additionally, it is difficult to estimate potential production rates for any new wells drilled in fractured rock aquifers, and wells drilled close together may have significantly different water because water-producing fracture locations, are difficult to identify and predict, and fractures intersected by one well may not be intersected by nearby wells. There are a



## Comment Letter G 2, Back Country Coalition (cont.)

- number of factors that determine the long-term yield for a well in fractured rock aquifers, including the number of fractures intersected, aperture (fracture opening sizes), spacing, orientation, and interconnectivity of fractures, the amount of recharge, the amount of groundwater in storage in the surrounding aquifer, other nearby groundwater extraction, and the installation techniques for a well. Additionally, **while low well yields are possible anywhere within fractured rock aquifer areas, steep slope areas above the valley floor are particularly prone to having lower well yield. This is largely due to storage values in steep slope areas often being substantially lower than production rates.**" (emphasis added)
- G2-174. cont. The GPU DEIR states of page 2.8-4: "The General Plan Update Groundwater Study (DPLU 2009f) reported that **all steep slope areas in the backcountry have the potential for low well yield, which could result in a rapid decline of the water table and groundwater availability.** This is largely due to storage values in steep slope areas often being substantially lower than valley areas, and having a smaller tributary watershed than wells located in valley areas." (emphasis added)
- Also on page 2.8-4 of the GPU DEIR, Large Quantity/Clustered Groundwater Users:** "Due to the fact that production wells for residential and agricultural water uses are not metered or regulated for water quantity by the County, future localized groundwater problems are possible anywhere in the County from large quantity groundwater users." **This section is particularly applicable to the CSP.**
- G2-175. Under **Groundwater Quality, Nitrates**, the DEIR goes on to inform: "Future development of small lots and/or areas with shallow groundwater on septic systems or agricultural operations has the potential to degrade water quality from nitrates" **and other contaminants.**
- G2-176. **Large Quantity/Clustered Groundwater Users, DEIR p. 2.8-39**, continues to discuss the groundwater issue as follows: "**Clustered development areas utilize a concentrated amount of groundwater in a relatively small area, which increases the potential for a localized rapid decline in the water table to occur.** As discussed in Section 2.8.1.1, **susceptible areas that could be impacted by the combined drawdown of existing wells (well interference) include clustered residences on lots smaller than four acres, irrigated agricultural lands, and other known large groundwater users.** Well interference reduces the well yield in affected wells by reducing the available drawdown in the well. The magnitude of well interference is dependent on the number and spacing of wells, the pumping rate, groundwater recharge, properties of the aquifer, and duration over which the pumping has occurred. Additionally, if clustered development is underlain by fractured rock with little saturated alluvium or residuum, the potential for water shortages is greater." (emphasis added) **The extent of those underground fractured rock well issues are impossible to ascertain.**

## Comment Letter G 2, Back Country Coalition (cont.)

- G2-177. **Groundwater and wells will also be impacted by the addition of concentrated septic systems, especially in areas such as Valley Center with high water tables, another community projected for excessive population growth under the General Plan update. That would be exacerbated with implementation of the CSP in those areas.**
- G2-178. Regarding **Low Well Yield** (p. 2.8.-40): “The proposed General Plan Update would designate land uses requiring groundwater dependency in areas currently experiencing a high frequency of wells with low well yield, which would exacerbate existing groundwater impacts and potentially result in an inadequate water supply for additional users. **The General Plan Update Groundwater Study indicates that the build-out development of future land uses as designated in the proposed General Plan Update would not be supported by adequate groundwater due to some wells having low-well yield in the portions of Lakeside, Ramona, and Morena Village and areas with steep slopes. Therefore, this would be considered a significant impact.**” Nevertheless, excessive population growth is being planned for Ramona.
- G2-179. “Infeasible Mitigation Measures”  
 “Implement a Countywide moratorium on building permits and development applications in any areas of the County that would have the potential to adversely impact groundwater supplies and recharge. This would effectively result in no new impacts to groundwater supplies and recharge within the unincorporated County. However, this measure would impede the County’s ability to implement the General Plan Update because it would **prohibit future development in areas identified for increased growth in the General Plan Update.** This mitigation measure would also conflict with the **project objective to support a reasonable share of projected regional population growth.** Therefore, for the reasons listed above, this mitigation measure would not be implemented.” (emphasis added)
- Again, it is the county’s arbitrary “objective” to support what it considers a “reasonable” share of population growth SANDAG revealed in its original and revised RCP (see the Population and Housing section of these comments). **There is no reason lower population growth figures would be unacceptable to anyone except DPLU and the building industry.**
- G2-180. The county’s obstinate insistence on placing too much population growth in groundwater impacted areas displays its disregard for public well being, and would be amplified with implementation of the CSP. The county’s attitude is also amply defined in the following paragraph. No matter how significantly impacted a groundwater supply may be, the county is still irresponsibly pushing population growth on those areas.
- G2-181.
- G2-182. Further inconsistencies between the GPU DEIR and the Conservation Subdivision Program are found in Section 2.15 Traffic of the DEIR.

## Comment Letter G 2, Back Country Coalition (cont.)

G2-183.	<p>As discussed in the County General Plan Update Groundwater Study, there are multiple areas in the unincorporated County that are currently experiencing groundwater supply impacts. Implementation of the General Plan Update would allow land uses and development to occur in these areas, thereby worsening an already unsustainable groundwater supply. As discussed above, at maximum build-out of land uses proposed in the General Plan Update, groundwater supply impacts would occur in: 1) areas that experience a 50 percent reduction of groundwater in storage; 2) areas that may be currently impacted by the combined drawdown of existing wells; 3) areas that experience a high frequency of low well yield; and 4) Borrego Valley. <b>While existing County policies and regulations and proposed General Plan Update goals and policies are intended to protect groundwater resources, they would not be sufficient to ensure that significant impacts to groundwater resources are avoided.</b> Therefore, the proposed project would result in a potentially significant impact to groundwater resources and mitigation measures would be required.” (emphasis added)</p>
G2-184.	<p><b>We especially note in our comments regarding the CSP the steep slope and clustered groundwater user language because the county has gone to great lengths to accommodate developers by degrading the RPO steep slope calculations and road standards for the benefit of excessive population growth in back country communities, regardless of the hazards imposed to present populations. We do not expect any argument to be persuasive. This letter will become part of the administrative record and will be most useful at a future time when discretionary projects are processed and approved in these groundwater challenged areas because of the potential KNOWN harm that can be caused by the excessive population growth forecasts made by the county through SANDAG.</b></p>
G2-185.	<p><b>of the potential KNOWN harm that can be caused by the excessive population growth forecasts made by the county through SANDAG.</b></p>
G2-186.	<p>The following block quotes from the GPU DEIR reveal an over-emphasis on SANDAG’s Regional Transportation Plan that was developed using population growth estimates given to it by the County of San Diego, with the implication that it was the fair and objective SANDAG that scientifically determined the growth figures, not the county,</p>
G2-187.	<p>therefore, we are to infer, they should not be questioned and the county is somehow required to use them. That demonstrates the results of the RTP are biased in favor of the excessive growth the county wishes to plan for.</p>
G2-188.	<p>The following block quotes also reveal some of the inconsistencies with documented analyses and what the CSP actually would require or not require.</p>
G2-189.	<p><b>“2.15.3.4 Issue 4: Emergency Access - Guidelines for Determination of Significance</b> Based on Appendix G of the CEQA Guidelines and the County of San Diego Guidelines for Determining Significance, Transportation and Traffic, the proposed County General Plan Update would have a significant impact if it would result in inadequate emergency access.</p>

## Comment Letter G 2, Back Country Coalition (cont.)

G2-189. cont.	<p><b>Impact Analysis</b></p> <p><b>Inadequate emergency access and egress can occur as a result of an incomplete or not fully interconnected roadway network, such as inadequate roadway widths, turning radii, dead end or gated roads, one-way roads, single ingress and egress routes, or other factors.</b></p> <p>In addition to Mobility Element roads, a comprehensive network includes regional freeways and highways and local public, private, and fire access roads. This General Plan Update identifies a Mobility Element road network, but all types of roads must be considered to fully address emergency access. While the Regional Transportation Plan addressed the regional freeways and highways, <b>community plans need to consider local public and fire access roads to fully address emergency access requirements.</b> (emphasis added)</p> <p>The last sentence in the quotation above seems to strive to place the responsibility for planning public and fire access roads on community planning and sponsor groups through their community plans, relieving the county of that responsibility!</p>
G2-190.	<p>The above block quote continues:</p> <p><b>“The lack of a comprehensive network can result in severe traffic congestion or blocked sole routes of ingress that limit the responsiveness of emergency vehicles or trap residents trying to flee during an emergency. In addition, inadequate roadway widths and turning radii can make it difficult for personnel to maneuver rescue equipment in an emergency. Dead end and one-way roads and traffic can impair emergency access and cause delays in response if a wrong turn is taken. Gated communities, which are popular in the unincorporated areas, can also obstruct access for emergency vehicles and obstruct egress routes for residents fleeing in the event of an emergency such as a fire. Under the proposed General Plan Update, existing inadequate roadway widths, dead end roads, one-way roads, and gated communities, all of which have the potential to impair emergency access, would still occur. Therefore, this would be considered potentially significant impact and mitigation would be required.”</b> (emphasis added)</p> <p>The above quoted conclusion that the county intends to perpetuate inadequate, substandard, dangerous roadways is an intolerable abuse of discretion.</p>
G2-191.	<p><b>“Private roads also have the potential to impair emergency access. Private roads are often unpaved and poorly maintained, which poses risks to public safety, especially in high wildfire hazard areas. Dirt roads, or roads with potholes, may cause damage to fire apparatus vehicles and/or impede an emergency vehicle from accessing a site. Dirt roads pose additional safety concerns by having dust obstruct the view of evacuees during a firestorm, which can cause vehicles to drive off the road or into the fire, as demonstrated in the October 2003 wildfires in San Diego County. This problem is compounded in areas with existing populations that have only one point of access. Under the</b></p>

## Comment Letter G 2, Back Country Coalition (cont.)

G2-191. cont.	<p><b>proposed General Plan Update, existing private roadways with the potential to impair emergency access would still occur. Therefore, this would be considered a potentially significant impact and mitigation would be required.</b></p>
	<p>“Some existing roadway conditions within the rural areas of the unincorporated County could result in inadequate emergency response for the population anticipated under the General Plan Update. However, roadways that would be constructed as part of the proposed General Plan Update would be required to meet current State and County standards for adequate emergency access. Additionally, any future roadway construction proposed as part of the General Plan Update Mobility Element would be required to conduct environmental review pursuant to CEQA prior to approval. CEQA requires proposed projects provide detailed information on the potentially significant environmental effects they are likely to have, list ways in which the significant environmental effects would be minimized, and identify alternatives that would reduce or avoid the significant impacts identified for the project. To the extent feasible, significant environmental impacts would be mitigated to below a level of significance. However, some environmental impacts associated with the construction of roadway facilities may be significant and unavoidable, <b>such as impacts associated with transportation hazards such as impaired emergency access. Therefore, this would be considered a potentially significant impact and mitigation would be required.</b>” (emphasis added)</p>
G2-192.	<p>The comments provided by BCC in this section clearly demonstrate the inadequacy of the GPU DEIR. The document should be reissued incorporating the information required for the public to adequately analyze and assess all ordinance changes and the CSP itself for significant impacts and mitigation measures as detailed in the preceding paragraphs, referred to abundantly throughout the GPU DEIR without substantial evidence to back up the claims. An improved and adequate DEIR is required by CEQA, as cited in preceding paragraphs, for circulation and public review.</p>
	<p><b>Project Alternatives</b></p>
G2-193.	<p>The Back Country Coalition has been involved with the General Plan Update since 1998. We have participated in meetings, hearings, subcommittees and workshops and have offered suggestions and opinions during the long process. We were selected to participate in the Interest Group Committee when the second iteration began in 2001, and continued with the group when the third re-write began.</p>
G2-194.	<p>In 2003, BCC’s vote for the Draft Land Use Map was conditional upon it returning to the Interest Group for revisions and “refinements.” The condition was made because we believed there was too much population growth being planned for Ramona, Jamul and Alpine, growth that was not sustainable because of the significant impacts to groundwater, safe road travel, air quality among other issues. That map never returned to the Interest Group Committee, so we have considered that BCC’s conditional vote cast in favor of that map to be null and void, essentially a</p>



## Comment Letter G 2, Back Country Coalition (cont.)

G2-194. cont.	"NO" vote. Therefore, claims that were made that "consensus" within the Interest Group for that map was achieved are not true.
G2-195.	We have reviewed the Draft EIR for the present General Plan Update project, and have found it inadequate and inaccurate in many areas. We do not believe it would withstand a court challenge for reasons indicated in the various sections of these comments.
G2-196.	Nevertheless, we have selected the Environmentally Superior Alternative as the one we would choose if the document were adequate enough to go forward. This may also be considered a conditional selection. Population growth is still too great in areas with limited infrastructure, like Ramona, with no real plan to bring them up to an adequate standard before imposing more growth.
G2-197.	We believe, as detailed in other sections of these comments, that the significant, unmitigated impacts of the proposed DPU project are too extensive, damaging to the environment and would be dangerous to the residents of San Diego County.
G2-198.	Because the inadequacies and inaccuracies of the population growth estimates are replete throughout the DEIR, and have tainted all conclusions, summaries and findings therein, the selection of the Environmentally Superior Alternative is based simply on the fact that it would be environmentally superior to the proposed project. We cannot know, however, how much more superior it would be if the other issues analyzed and discussed in the DEIR were accurate and adequate, but estimate that it would be better still with reductions needed to the population growth estimates, among other improvements detailed above.
	<b>Conclusion</b>
G2-199.	We request the County of San Diego not to waste more time on the arbitrary population growth numbers it has insisted on using throughout the DEIR, but to create population numbers that are sustainable given the environmental and infrastructure constraints of each community.
G2-200.	To insist on adding population growth where it is known there will be inadequate water supply is insanity because potable water cannot be created and development will not, at least not at this time, foot the bill for desalination or effective waste water treatment facilities for new subdivision projects. Wastewater treatment facilities that fail to connect an adequate number of homes would fall to the county to subsidize, in other words, taxpayers.
G2-201.	
G2-202.	To insist on adding growth where traffic levels of service have caused evacuation efforts to fail in the face of impending catastrophe, is the height of folly. Not only does it expose community populations to certain harm, but it exposes the county to legal challenges because the county has been informed of the dangers and hazards

**Comment Letter G 2, Back Country Coalition (cont.)**G2-202.  
cont.

and choosing disaster over good judgment and responsible planning is not a winning choice for anyone.

G2-203.

Residents of San Diego County depend on our planners and elected leaders to do the right thing in planning for the future of our communities. When that fails, for whatever motive or reason, the public trust has been betrayed and quality of life for current residents will decline along with those of new developments where environmental impacts and issues have not been accurately considered in favor of growth for its own sake.

We hope the county will reanalyze the DEIR with accurate information and revise the DEIR to portray a more compassionate, legally defensible and realistic appraisal of how growth should take place relating to conditions that actually exist.

Please keep the Back Country Coalition on the distribution list for all documents and hearings about the General Plan Update and its attendant issues.

Thank you.

Sincerely,



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Attachments (4)

cc: Interested Parties

**Comment Letter G 2, Back Country Coalition (cont.)****Attachment A – GPU DEIR****Report On Homelessness Shows Large North County Population**

Many of the region's homeless people live in North County, and homelessness in general is on the rise in the area, according to a report released Saturday.

The Regional Taskforce on the Homeless also reported that San Diego County's population is younger, better educated and more transitory than the homeless people in other regions.

The report was based on data accumulated in a January 2008 count of the homeless population throughout the county.

About 52.1 percent of the county's homeless population live in central San Diego County, 12.2 percent live in coastal North County, 16.4 percent live in inland North County, 7.8 percent live in East County and 11.5 percent live in South Bay, according to the report.

Regional Taskforce member Patricia Leslie, director of social work at Point Loma Nazarene University and a consultant for the county's Housing and Community Development Department, said that almost 20 percent of the county's total homeless population are veterans and that 21 percent make up the population living on the street rather than in shelters.

The majority served in recent conflicts and now outnumber Vietnam veterans living on the street, she said.

About 77 percent of the entire homeless population are males ---- 60 percent of them white and 20 percent black.

Eleven percent live on the street with a spouse and/or children, according to the report.

**The one-day count found 7,582 homeless people in January 2008, a 9 percent increase from the 2006 count that found 6,968 homeless.** (emphasis added)

The number of homeless in the city of San Diego declined by 3 percent during that time, but the number increased by 27 percent in the county's other 17 cities and unincorporated region.

**Comment Letter G 2, Back Country Coalition (cont.)**

"I was somewhat surprised at the number for North County," said Laurine Pause, director of the Community Resource Center in Encinitas. "I think the increase in numbers really were from migrant workers."

Of the 530 homeless people counted on the streets in Encinitas, Pause said she suspects about 80 percent were migrant workers.

Of those, only 10 percent usually seek assistance from the Community Resource Center, she said.

Pause said she does not think there has been a change in Encinitas' population of chronically homeless, which includes people with mental illness or addiction.

But Leslie and Pause said there are more new homeless people who may be living in their cars after being displaced because of the poor economy.

Those people may be missed in homeless counts, conducted between 4 and 8 a.m., because volunteers usually go to parks or other areas the homeless are known to be found rather than side streets where a family may be finding shelter in their car, Pause said.

Leslie said large cities usually have a homeless population of about .5 percent. San Diego County's population is slightly smaller, between .3 and .4 percent.

She speculated that the smaller percentage may be because the county's homeless population is more transitory than in other cities.

The county uses the homeless figures to compete for dollars from the U.S. Department of Housing and Urban Development, and Leslie said it receives \$13 million to \$14 million a year in federal dollars to use for shelters and other programs to help people transition off the street.

Leslie said the task force also hopes to use the data to learn more about the causes of homeless people and the reasons behind demographic shifts.

The next homeless count is scheduled for Friday, and she said the task force hopes to have the report from that survey released by June. To view the full report: [rthsd.org/pdf/rthp%201.13-09.pdf](http://rthsd.org/pdf/rthp%201.13-09.pdf).

Comment Letter G 2, Back Country Coalition (cont.)

**10News.com**

**More Homeless Downtown A Problem For Businesses**

***Some Owners Claim Homeless Are Keeping Customers Away***

POSTED: 5:52 pm PDT August 5, 2009

UPDATED: 9:49 pm PDT August 5, 2009

**SAN DIEGO -- There are about 1,000 more homeless people downtown than last year. With few places for them to go they roam the streets.** (emphasis added)

Businesses -- in particular ones with outdoor seating -- say it can be a turn-off for customers and it is why they say they're battling more than just a slow economy.

On Monday, the shooting of a homeless man by a San Diego Police Officer grabbed attention and raised the question: is the homeless problem getting more serious?

"I think we've just scratched the surface," executive chef Brian Rutherford who works downtown at Krust Pizzeria said.

**Roughly 3,000 homeless people call downtown San Diego home and Rutherford thinks the number of homeless will continue to increase.**

He said he's seen his share of problems: "people do panhandle to the guests [dining outside] at the railing," he said.

Rutherford said one time a homeless man broke into the restaurant.

"He forced the doors open, came in and slept on the couch," he said.

Rutherford said the behavior turns off customers. "Some people [dining at the restaurant] say, 'what will you do about this?'" he said.

"We try to move them along... "

But Molly Downs with the San Diego Rescue Mission said that's not a permanent solution by any means.

"There's no where for them to go," Downs said.

The rescue mission provides emergency and permanent shelter but can only take in so many a night.

"We have about 400 people in the building every night," she said.

That means hundreds more have to find another place to go. Any place they can call home for the day.

10News asked police how many complaints they get a day involving homeless people but we did not receive an answer by news time.



## Comment Letter G 2, Back Country Coalition (cont.)

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### Homeless Outreach & Prevention

Of the 10,000 homeless individuals on San Diego County streets, almost 1,400 are chronically homeless – those who experience numerous periods of homelessness while struggling with a disability (physical, mental, or substance abuse).

Though they represent fewer than 15 percent of the homeless population, the chronically homeless drain almost 50 percent of available homeless resources. Other systems impacted include shelters, emergency medical services, and law enforcement. For example, research shows that in San Diego, 15 chronically homeless inebriates cost \$100,000 in medical services, totaling \$1.5 million over 1.5 years. [Read more about the chronically homeless and emergency systems.](#)

**DID YOU KNOW...** that 60 percent of those experiencing homelessness have a mental health problem? Homelessness makes existing mental illness worse, often leading to expensive treatment and medical services.

[Learn more about the cycle of homelessness and how permanent supportive housing is more cost effective than living on the street here.](#)

In 2002, the federal government approached United Way to create a 10-Year Plan to End Chronic Homelessness (PTECH). United Way recruited Dene Oliver (Oliver McMillan Companies) to head a committee of volunteers – community leaders, service providers, and homeless experts – to develop a plan to provide permanent housing and support services. The goal of this results-oriented plan? To help solve our region's troubling homeless problem.

### Who is conducting these programs?

Currently, four agencies have received funding to enhance the continuum of homeless services are *The Regional Task Force on the Homeless*, *St. Vincent de Paul Village*, *the Corporation for Supportive Housing*, and *the Alliance for Regional Solutions*. In early 2009, United Way will release a Request for Proposals (RFP) to implement the recommendations of the PTECH Committees and serve the first 200 chronically homeless individuals.

We believe the key to ending homelessness is to provide permanent housing first, followed by mental health, medical, legal, job training

## Comment Letter G 2, Back Country Coalition (cont.)

and other necessary services. This model, called Housing First/Housing Plus, is a documented success in many U.S. communities where it reduced homeless populations up 70 percent. Permanent supportive housing also improves physical and mental health, which reduces the need for these services, particularly expensive inpatient mental health care and hospitalization.

Studies show that the cost of providing permanent supportive housing for homeless individuals with mental illness and/or addictions is less than the cost of allowing them to remain homeless. Permanent supportive housing helps tenants:

- increase their incomes
- work more
- get arrested less
- make more progress toward recovery
- become more active, productive members of our community

### **Who is getting help?**

While the Housing First/Housing Plus model focuses on the chronically homeless, United Way also directs resources toward prevention to help at-risk individuals avoid homelessness.

United Way contributed \$200,000 to open emergency homeless shelters in San Diego and North County, providing over 600 beds and serving more than 2,000 homeless men, women and children last season.

PTECH finalized its first phase goals: to implement a pilot program that will serve 200 chronically homeless individuals.

Already this year, United Way has contributed to the following initiatives that support the continuum of homeless services:

Point-in-Time Count (*The Regional Task Force on the Homeless*): (funding) \$50,000 will enhance the annual homeless count, which helps determine how many federal dollars the county receives to combat homelessness.

Neil Good Day Center (*St. Vincent de Paul Village*): \$50,000 over two years helps support the operation of the Center so it can remain open seven days a week.

Permanent Supportive Housing Program & Financial Modeling (*Corporation for Supportive Housing*): \$17,350 will develop a 10-year model outlining the resources needed to develop permanent supportive housing in San Diego.

North County Regional Winter Shelter System (*Alliance for Regional Solutions*): \$70,000 will provide supportive services to the hundreds of homeless individuals and families that regularly access this shelter system.

## **Comment Letter G 2, Back Country Coalition (cont.)**

### **How will we measure success?**

10-year goals:

- Eliminate chronic homelessness in San Diego region

- Create 1600 units of permanent supportive housing

"I've seen the homeless problem for years but never knew what I could do to help," says Mary Cruz, a United Way donor for 17 years.

"Now I know my United Way donation is helping them leave the streets for good."

**For more information about the Chronically Homeless, visit these links:**

10 Year Plan to End Chronic Homelessness in the San Diego Region

[WWW.USICH.GOV](http://WWW.USICH.GOV)

[WWW.CSH.ORG](http://WWW.CSH.ORG)

[WWW.NAEN.ORG](http://WWW.NAEN.ORG)

Community Impact Dashboard

**Comment Letter G 2, Back Country Coalition (cont.)****Attachment B to BCC Comment Letter re. GPU DEIR****Fire board rejects Stonegate fire plan**

By: NED RANDOLPH – Staff Writer

**SAN MARCOS** – The publicly elected Deer Springs Fire Protection District board, which oversees fire suppression and emergency services for the most recent fire-protection plan for the proposed 2,700 home NNP-Stonegate project.

The fire plan, which is part of the developer's land-use application to the county, outlines how the 10,000 to 13,000 residents who would live in the project area off Interstate 15 and Deer Springs Road would be protected in the event of a wildfire.

On Jan. 2, two county fire officials in the Department of Planning and Land Use wrote an internal letter to the county project manager saying the fire plan had met all appropriate fire codes and standards. At the time, the Deer Springs board had not had a chance to review the plan.

Senior county planning official Glenn Russell said on Friday afternoon that the spirit of the letter was that of an internal memo.

"It was not an approval, even though they used the word 'approved' in the letter," he said.

Ultimately, the county Board of Supervisors will decide whether or not the project, which would be on unincorporated land, can be built.

"This (the fire board's vote) is a big deal," said Bruce Tebbs, a newly elected fire district board member. "The (supervisors) can ignore us at their own peril. That's where it's at."

Tebbs said that he and Deer Springs Fire District President Peter Orner have been invited to meet with Gary Prior, the director of the Department of Planning and Land Use, on Monday.

The California Environmental Quality Act, which governs the approval process for projects such as Stonegate, requires that the board's rejection be included in the project's official record, said environmental attorney Todd Cardiff.

The lead agency (the county land use office) needs to take that into consideration, and the developer needs to take that into consideration," he said.

That said, the lead agency can issue a letter of "overriding consideration" saying that the benefit of the project overrides the negative impacts, Cardiff said.

**Comment Letter G 2, Back Country Coalition (cont.)**

During Friday's meeting, the Deer Springs fire board issued an eight-point document outlining why the plan was rejected. The reasons included:

- Relocating residents to predetermined safety zones within the project area is unacceptable;
- That the plan implicitly calls for a "shelter-in-place" concept;
- That the plan fails to deal with the effects of smoke;
- That it fails to address evacuation planning.

"This isn't a knee-jerk reaction. We've stated specific reasons why this plan was rejected," Tebbs said. "If they come back with a reasonable evacuation ... we'll consider it."

Tebbs said the board isn't against development. "We're against insanity, and putting a city on top of the mountain that can't be defended."

Since November, the five-member Deer Springs Fire Protection board has seen 100 percent turnover. Three new board members, all of whom vocally opposed the Stonegate project, were elected November 7. A month later, the remaining two board members resigned, which led to the appointment of two other board members.

"We're not offering suggestions to their plan; we're saying we're rejecting certain aspects of the plan for fire reasons." Said Laurel Nicholson, one of the newly appointed members. "It's up to them to readdress it to fit what we need."

Stonegate Project Manager Joe Perring said Friday he wasn't going to comment on the board's vote. Perring pointed to the memo issued by the County Department of Planning and Land use, which, he said, approved the plan.

I am not going to get in the middle of an argument between the county and the Deer Springs Fire Protection District," he said.

Contact staff writer Ned Randolph at (760) 761-4411 or [nrandolph@nctimes.com](mailto:nrandolph@nctimes.com)



## Comment Letter G 2, Back Country Coalition (cont.)

### ***Back Country Coalition***

Post Office Box 70 • Santa Ysabel, CA 92070 • 760-765-2132

July 29, 2009

San Diego County Planning Commission

Via electronic mail

### **RE: San Diego County Planning Commission Public Roads Subcommittee for the General Plan Update**

Dear Commissioners:

As you know, the Planning Commission Public Roads Subcommittee was held on June 5, 2009, with a follow-up meeting on July 17<sup>th</sup> in the Planning Commission Hearing Room on Ruffin Road. These comments include and expand on BCC's workshop discussion of June 5<sup>th</sup>.

#### **General**

BCC was pleased to participate in the workshop. We spoke about the need for adequate road access for evacuations as part of any and all subdivision planning. We are very concerned about inadequacy of road evacuation access in communities throughout San Diego County as detailed in the following paragraphs. Our concerns have been magnified by evacuation problems in some communities during recent wildfires throughout the county.

Meteorologists and other science experts predict more frequent, longer and hotter weather for the Southwestern United States. That means Santa Ana's will also be more frequent, longer lasting and hotter winds will be stronger. Now is the time to remedy many hazards created by past planning. Now is the time to ensure the ability of all county residents to evacuate safely and in a timely manner before another tragedy strikes.

#### **Alpine Example**

Alpine is an example of how road planning without adequate evacuation access has created dangerous situations during evacuations and a potential tragedy for residents because of wildfires and any other catastrophic emergency that would require the entire community evacuate on the road at the same time.

Planners in and for Alpine have consistently disregarded the Level of Service F of their main roads for many years. Rather than have Alpine Boulevard widened to four lanes to produce a better level of service, Alpine accepts the inconvenience of long waits. Rather than disallow new subdivision development that add more average daily trips to further clog the roadways, LOS F is ignored to the detriment of Alpine residents.

During the Cedar fire in 2003, the LOS F in Alpine created a gridlock situation

## Comment Letter G 2, Back Country Coalition (cont.)

### San Diego County Planning Commission Public Roads Subcommittee Page two

that came very close to tragedy. The fire was stopped on the west side of Alpine, even as it raged through Harbison Canyon and Crest. Residents of Alpine were stuck in a virtual parking lot of roadways, unable to evacuate. If the fire had not been extinguished on the western edge of Alpine, the residents could not even have outrun the flames. Families living just one mile from I-8 waited one hour to reach the safety of the highway.

One example out of many in planning subdivisions in Alpine is the approval of TM 5063 in December of 1999. The Planning and Environmental Review Board approved the Alpine Ranch Estates West II subdivision project that created a three-mile cul-de-sac out of an existing two-mile one.

Residents of Alpine sent letters and testified at the hearing about the inadequacy of simply having a separate entrance for fire trucks at the other end of Alpine Heights Road. The one-lane second entrance was gated and for fire truck use only. Alpine Heights Road is narrow and winding, has many stretches that are inadequate by county's Rural Road standard and would allow only one lane for more than 300 households to evacuate, while fire equipment would take up the other lane, creating an evacuation nightmare. Their assertions and fears proved to be correct.

Yet, not one thing has been done since then or since the 2003 Cedar fire to improve the roads, to bring them up to at least the minimum standard, nor has anything been done to improve the evacuation scenario throughout Alpine.

Alpine Trail Road was created near the end of Alpine Heights Road for the above referenced subdivision which added yet another mile to the already-dangerous situation. Alpine Trail Road is a private road on which it is difficult and often impossible for two vehicles to pass each other, let alone evacuate past fire fighting equipment. The entrance to Phase I of the TM 5063 project is in fact only a driveway!

Please note that Alpine Heights Road is on a ridgeline directly above Harbison Canyon in direct line of the well-known uphill fire "chimney effect." While those residents from over 300 households were waiting in gridlock to escape the flames, the fire was stopped very close to that roadway full of people waiting in their cars to evacuate.

In their letters and testimony at the PERB hearing in 1999, some of those residents pleaded with the decision makers to at least make an evacuation route through Lilac Lane to Rocrest Road that would allow many to evacuate from halfway down Alpine Heights Road to South Grade Road. These are the same people who would never have escaped the flames had they burned all the way up that hillside from Harbison Canyon.

No one paid attention to this suggestion, except to state the Rocrest was too steep to consider. Instead, during the hearing for TM 5063, the representative from DPW stated that Alpine Heights Road was not a cul-de-sac but a Rural Collector because it

## **Comment Letter G 2, Back Country Coalition (cont.)**

### **San Diego County Planning Commission Public Roads Subcommittee Page three**

serves so many people (more than 300), ignoring the fact that the road is EVEN MORE INADEQUATE as a Rural Collector than a dead-end rural road, which requires 40 feet right of way. The infamous and dangerous S-curve on Alpine Heights Road measures between 18 feet to 22 feet in width, not the 24 feet requirement of a mere Rural Road. Fire equipment would take up the entire S-curve, allowing no evacuation to proceed.

### **Other Examples**

Also during the Cedar fire, Harrison Park in Julian was completely burned to the ground because there was no exit for fire fighters to escape if needed. Fire fighters rightly did not even attempt to save Harrison Park. Those losses were completely avoidable had a simple exit from the end of Harrison Park Road been made.

In 2007, residents of Ramona were trapped on Highway 67, gridlocked trying to escape the wildfire flames. It was nothing less than a miracle that the flames turned north at the east end of town, or the loss of life in that fire would have been far more.

The community of Hidden Meadows with a population of around 7,500, also is at risk of being trapped on its only roadway into or out of the community. That risk would be enormously increased by the addition of another 25,000 residents using that road if the proposed Stonegate subdivision is approved. Such approval with no other escape from a firestorm than that one road would amount to criminal negligence on the part of the approving jurisdiction. "Shelter in place," ludicrously being proposed for the subdivision, has been completely discredited since last year's catastrophic fires in Australia.

There are many other examples in Alpine and throughout county communities of dangerous dead end and substandard roads serving multiple families that have no alternate route of evacuation.

### **Community Evacuation Plans**

BCC reviewed several community Evacuation Plans including Alpine, Ramona and Campo. While comprehensive in information, there is nothing in any of them that would facilitate evacuating residents in an actual emergency. In Alpine's plan, the "safe haven" schools are located in the recognized probable pathway of fires and all contact information was out of date.

We concluded that having even an excellent evacuation plan is no substitute for adequate roadways on which to escape harm during an emergency. Evacuation plans may be useful to first responders and efficient communications, but offer no help to residents trapped on LOS F roadways.

### **Better Planning for a Safer Future**

BCC cannot overstate the urgent need of finding solutions to these death trap roadways

## Comment Letter G 2, Back Country Coalition (cont.)

### County Planning Commission Public Roads Subcommittee Page four

throughout the county. Residents in Alpine have spoken out for many years **San Diego** and have been ignored. It is irresponsible to ignore informed public input when it would result in enhanced public safety. It would also be criminally irresponsible to continue to plan subdivisions and do nothing to improve evacuation access on long dead end roads and too-narrow private roads that hold the real potential for tragic consequences.

We believe there should be some hope in future planning for improved safety on county public roads. The County of Los Angeles has very stringent restrictions on dead end roads. Why doesn't San Diego County? No more than five houses should be allowed on a dead end roadway without a secondary emergency escape route for its residents. "Secondary access gates" are inadequate for evacuation of long dead end roads because they are one lane, not accessible to the public and wide enough only to allow fire fighting equipment. The gate required at the end of Alpine Heights Road was said to be a "secondary evacuation route" but in reality, it is only one lane and only the fire departments have the key. Moreover, no vehicles could pass fire trucks on the Alpine Heights Road "S" curve or the driveway and narrow, private Alpine Trail Road.

If a community such as Alpine has created so many death trap scenarios for its residents that would occur during evacuation of a catastrophic event, it should be considered to have reached **build out** until solutions are created for these existing inadequate evacuation routes. This is a small price to pay to ensure safety and protect human lives.

### Public Participation

BCC believes these comments are timely and relevant to the General Plan Update and we made a serious effort to inform the Planning Commission Subcommittee on June 5<sup>th</sup> about the facts as stated above. During the July 17<sup>th</sup> follow-up meeting, no mention was made of improving inadequate evacuation access roads, or improving substandard existing public roads, beyond the statement by a DPW representative that "cars and fire trucks can pass each other on rural roads." That would be true if all the roads were up to standard and of adequate width, all were public roads, and a reasonable level of service throughout the community had been maintained over the years during each new project's initial planning. Instead, many projects were approved with no thought to what would occur in an emergency, and with county planners citing "de minimus" traffic impacts, again chilling public participation of those who, including BCC, did object. We have the result today: death trap roadways.

Our comments on this subject received the following "summary" in the minutes of the June 5<sup>th</sup> Planning Commission Subcommittee hearing in over eight pages of typed minutes:

## Comment Letter G 2, Back Country Coalition (cont.)

### San Diego County Planning Commission Public Roads Subcommittee Page five

- Evacuation has become the norm for the county
- SDGE's proposal to preemptively turn off the power to the backcountry
- Wants San Diego to focus on the safest evacuation process
- Older roads should have better planning
- Disastrous examples from 2003 and 2007 fires

We provided a more meaningful correction to the June 5<sup>th</sup> minutes which have been incorporated by staff. This attempted censorship of such a critically important subject simply because it is critical of DPLU/DPW planning practices is not in the best interests of the public and, in fact, is extremely dangerous to residents, many of whom were unaware of such inadequate planning when they purchased their homes. It reveals an attitude of disdain for ideas that do not agree with the policies now employed. Clearly, these irresponsible road planning practices are being considered "good enough" to continue into the future. County planners seem not to think public safety is an issue important enough about which to consider informed comments from the public.

### Conclusion

Residents of San Diego County deserve the best planning, not the most convenient for DPLU "customers" nor those that are the least expensive for developers. This kind of planning is at the expense of the public and it is the responsibility of decision makers to ensure subdivision and community plans are the best they can be, not the most expedient.

We hope some discussion of improving present and future planned roads will create an awareness that business-as-usual is one day going to result in unnecessary human deaths, as it nearly was during two recent, major firestorms.

Thank you for your consideration of this important issue.

Sincerely,

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## Comment Letter G 2, Back Country Coalition (cont.)

Attachment D

Ramona Sentinel

County plan won't work for RMWD

Chuck Preble

Published 08/20/2009 - 9:48 a.m.

"It seems to me that the county planners are disconnected from what we're going through up here," said Ramona Municipal Water District (RMWD) Division I Director Darrell Beck.

Beck was referring to a discussion and possible action on the Draft Environmental Impact Report for the San Diego County General Plan Update, which was of concern to the RMWD directors during their Aug. 11 meeting.

The County of San Diego General Plan Update is the first comprehensive update of the General Plan since 1978. The plan applies to all unincorporated portions of the county and consists of six elements: land use, mobility, housing, conservation and open space, safety, and noise.

RMWD has written a letter to the county Department of Planning and Land Use that addresses concerns with the proposed update and its possible affect to the community.

"The main point of the letter is to stress to the county our concerns in terms of the number of housing units we can accommodate," said District Engineer Tim Stanton. "The number of units we can service is significantly lower than what the county has proposed.

The General Plan directs future growth in the unincorporated areas of the county. The growth is targeted to occur primarily in the western portions of the unincorporated county and shifts 20 percent of future growth from the eastern backcountry areas to western communities. This includes areas throughout Ramona.

Much of the proposed growth would fall within the regions serviced by the Santa Maria Sewer Service Area. Current improvements can accommodate a maximum of about 1,400 more new housing units.

The county's proposed update has projected an increase in that region at approximately 7,000 additional units.

"The county doesn't seem to understand that we pump water up the hill," said Beck. "It takes electricity, pipelines and pumps. We have storage for only a short length of time and are limited on emergency supplies."

**Comment Letter G 2, Back Country Coalition (cont.)**

The update does not address how this impact on the Santa Maria treatment plant will be mitigated.

The draft update states that, "A number of important themes that are integral components of the county's vision for its future are woven throughout the General Plan rather than structured as separate elements such as community character, environmental sustainability, global warming."

According to the RMWD, these themes are having a direct impact on the availability of land to store and dispose of effluent from the Santa Maria plant.

Four major areas are summarized in the RMWD draft response letter:

1. Inadequate sewer capacity for the projected growth planned for RMWD.
2. Inadequate imported water for the projected growth.
3. A recommendation to change the Draft Environmental Impact Report (DEIR) findings on the impact to wastewater facilities from "less than significant impact," to "significant impact."
4. The failure to analyze impacts on groundwater basins that fall within the San Diego County Water Authority boundaries.

A groundwater analysis completed in the DEIR and the Ramona Community Plan assumes that development within the water authority service area will be supplied with imported water, and groundwater impacts will be minimized. RMWD has stated that as the cost of imported water increases, the trend would be for developments in the district to use groundwater (wells).

The approximate 7,000 additional housing units projected in the proposed General Plan Update has not taken into consideration the limitation of lack of land, land committed to open space or park lands. Without more land for spray fields and wet weather storage, the number of additional units in the district should be reduced to 1,400 in the proposed update, the district said.

An addition of 1,900 housing units would require construction of new water treatment plants, pump stations, pipelines and potentially significant modifications to the water authority's supply pipelines. RMWD does not believe the land for all these facilities is available and, if it were, the financing may not be feasible.

"A lot of people in Ramona depend on groundwater," said Beck. "Do we want to ask them (the county) to consider these things before they start making plans for all these lots that we can't accommodate?"

Beck addressed funding for the county's proposed projections.

"We can't just go out and borrow money to put these things in place," Beck stated.

**Comment Letter G 2, Back Country Coalition (cont.)**

At a recent meeting with the county DPLU director and staff, RMWD Engineer Tim Stanton stated that Beck was correct.

"They (the county) believe that the facilities and infrastructure is all there, and their staff had no comprehension of the difficulties in our area," said Stanton.

RMWD staff estimates that 80 percent of the proposed growth will occur in the Santa Maria Sewer Service Area. Staff has concluded that the district does not have enough land available for such growth and that potential developers may find themselves without the ability to meet fire flow requirements, purchase capacity in wastewater treatment systems, or meet traffic requirements without substantial investment that may exceed their project's net worth.

The written comments from the RMWD to the DEIR addresses 110 concerns. Among them is the fact that Ramona's infrastructure was never sized to accommodate the water and sewer demands projected in the proposed General Plan Update. The costs to developers to build in areas with inadequate infrastructure may be substantial.

"The DPLU had no understanding how we go about financing water, sewer facilities and infrastructure," Stanton said.

RMWD staff has recommended that the board approve the staff's written response to the DEIR for the San Diego County General Plan and send a copy to the DPLU director before the end of the month.

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**Responses to Letter G 2, Back Country Coalition**

- G2-1 This comment is an introduction to the comments that are addressed in responses G2-2 through G2-206. It does not raise a significant environmental issue for which a response is required.
- G2-2 This comment provides a quote from the DEIR. It does not raise a significant environmental issue for which a response is required.
- G2-3 The County appreciates and acknowledges this information. However, existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the Notice of Preparation (NOP) was circulated for public review and therefore is the date established for the environmental baseline. This is consistent with Section 15125 of the CEQA Guidelines, which states, “an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published.” As such, no revisions were made to the DEIR in response to this comment. Additionally, the DEIR must analyze the worst-case potential environmental impacts of build-out of the General Plan Update. Therefore, if actual population and development growth would be less than the build-out assumed in the DEIR, as implied by the commenter, the DEIR would be a conservative analysis of environmental impacts and would adequately account for potential impacts of this population growth and development.
- G2-4 The County appreciates and acknowledges this information regarding homelessness. However, existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and the date established for the environmental baseline. As such, no revisions were made to the DEIR in response to this comment. Refer to response to comment G2-3 for additional information.
- G2-5 The County disagrees with the comment that the population growth predicted for the unincorporated County is overstated in the DEIR. As stated in the responses to comments G2-3 and G2-4, existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and the date established for the environmental baseline. No revisions were to the DEIR were required in response to this comment. Additionally, if actual population and development in the County is less than the build-out assumed in the DEIR, the DEIR would still account for the potential environmental impacts of the reduced population growth and development by analyzing a more conservative population scenario.
- G2-6 The County disagrees with the comment that the DEIR should be recalculated based on current economic conditions in the United States, California, and the County. Refer to response to comment G2-3. Existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and therefore is the date established for the environmental baseline. As such, no revisions were made to the DEIR in response to this comment. Additionally, the prediction of future economic recovery and long-term impacts of current nationwide, State, and regional economic conditions on the unincorporated County would be speculative and outside the scope of the DEIR. As stated in Section 15145 of the CEQA Guidelines, if a Lead Agency finds that an

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- impact is too speculative for evaluation it should note its conclusion and terminate discussion of the impact. The DEIR notes in Section 1.13.2, Differences with SANDAG Population Model Forecast, that SANDAG will likely publish a lower population growth forecast in the future. However, because this information is not yet available, analysis of a lower growth scenario would not be appropriate.
- G2-7 This comment provides a quotation from an online article regarding economic conditions and does not raise a significant environmental issue for which a response is required.
- G2-8 The County disagrees with the comment that the DEIR population forecast is no longer pertinent. Refer to response to comment G2-3. Existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and therefore is the date established for the environmental baseline. As stated in the comment, the economic conditions to which the commenter is referring began in September 2008, which followed the NOP circulation by several months. The DEIR notes in Section 1.13.2, Differences with SANDAG Population Model Forecast, that SANDAG will likely publish a lower population growth forecast in the future. However, because this information is not yet available, analysis of a lower population growth scenario would not be appropriate. As such, no revisions were made to the DEIR in response to this comment.
- This comment also states that current economic conditions would result in a diminished future growth within the County. This statement is speculative; therefore, the County neither agrees nor disagrees with this statement. Refer to response to comment G2-6 for CEQA Guidelines information regarding the analysis of speculative impacts. The County disagrees that the potential for lower population growth in the County would make the DEIR inaccurate. If actual population and development growth would be less than the build-out assumed in the DEIR, the DEIR would adequately account for potential environmental impacts of this reduced population growth and development by analyzing a more conservative population scenario.
- G2-9 The County disagrees with the comment, which reiterates comments G2-6 and G2-8. Refer to responses to comments G2-6 and G2-8 for responses to this comment. The population information provided in the DEIR describes conditions on or around April 2008, which is when the NOP was circulated for public review and therefore is the date established for the environmental baseline, consistent with Section 15125 of the CEQA Guidelines. No revisions to the DEIR are required in response to this comment.
- G2-10 The County disagrees with the comment that the DEIR should have been updated to reflect current economic conditions because the economic crisis has been known since September 2008. Existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and therefore is the date established for the environmental baseline, consistent with Section 15125 of the CEQA Guidelines. As stated by the commenter in comment G2-8, the economic crisis did not begin until months after the NOP was circulated.



## Responses to Letter G 2, Back Country Coalition (cont.)

- Therefore, even though the commenter feels that adequate time existed to revise the EIR baseline, the population growth forecast used in the DEIR is consistent with the CEQA Guidelines. Further, the DEIR notes in Section 1.13.2, Differences with SANDAG Population Model Forecast, that SANDAG will likely publish a lower population growth forecast in the future. However, because this information is not yet available, analysis of a lower population growth scenario would not be appropriate. As such, no revisions were made to the DEIR in response to this comment.
- G2-11 The County disagrees that it chose to ignore a change in economic climate that would alter the population growth forecast for the County. SANDAG routinely updates its population forecast, and as a result, the next forecast will likely reflect any recent population and housing trends that may have resulted from current economic conditions. However, as stated in the DEIR quote provided in the comment, SANDAG has not yet published a new population forecast for the County. Therefore, this forecast was not available for use as the DEIR baseline for future population growth. The County did not ignore changes in the economic climate. Rather, a population forecast that reflects recent economic conditions is not yet available. Also, as stated in response to comment G2-10, existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review, consistent with Section 15125 of the CEQA Guidelines.
- G2-12 The County disagrees with this comment that no explanation for using the higher population forecast in the DEIR is provided. An explanation of the use of the SANDAG forecast is provided in Section 1.13.2, Differences with SANDAG Population Model Forecast. As stated in this section, the regional planning documents used in preparing analyses in the DEIR are based on the SANDAG forecasts. Additionally, the use of the SANDAG number is consistent with CEQA. As discussed in response to comment G2-3, the DEIR is intended to analyze the worst-case potential environmental impacts of build-out of the General Plan Update, consistent with Section 15003(i) of the CEQA Guidelines, which requires that an EIR make a good-faith effort at full disclosure of potential environmental impacts. To provide additional clarity, this section of the DEIR has been revised as follows:
- “Despite the difference in population forecasts between the County’s model and SANDAG’s model, the higher number provided by SANDAG was incorporated into the environmental analysis ~~where appropriate~~ for issues where the most important factor in determining impacts was the future population number, such as in the Population and Housing section (see Chapter 2.12), because the SANDAG forecast represents the more conservative population forecast.”
- The County also disagrees that the SANDAG population forecast was used to ramp up the building potential of the unincorporated County. The correct explanation for the use of the SANDAG population forecast is provided above. Additionally, the DEIR does not determine the building potential of the unincorporated County, as the commenter implies. The General Plan Update land use map determines the building potential. As stated in Section 15121 of the CEQA Guidelines, an EIR is an

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- informational document which will inform public agency decision makers and the public of the significant environmental impacts of a proposed project. The DEIR analyzes the potential environmental impacts of future development accommodated by the land use designations proposed in the General Plan Update.
- G2-13 This comment reiterates the opinions stated in comments G2-6, G2-11, and G2-12. Refer to the responses to these comments. As discussed in these responses, the use of SANDAG's growth forecast is consistent with the CEQA Guidelines for determining baseline conditions, an updated population forecast reflecting a slow-down in regional growth is not yet available, and the higher SANDAG forecast was used because it represents a more conservative forecast.
- G2-14 This comment correctly states that SANDAG forecasts are based on information provided by the County. However, this comment incorrectly implies that the SANDAG forecast identified in the *2004 Regional Comprehensive Plan* (RCP) is the population growth forecast used in the DEIR. As stated in Section 1.13.2 of the DEIR, Differences with SANDAG Population Model Forecast, the DEIR uses the 2008 SANDAG population forecast. Therefore, the DEIR is based on the most recent population forecast available during or around April 2008, which is when the NOP was circulated for public review and the date established for the environmental baseline. Additionally, as stated in the quote provided in comment G2-15, the 2004 RCP forecast is based on the 2002 Working Copy land use map. As discussed in Section 1.12.1.1 of the DEIR, County Board of Supervisors and Planning Commission Actions, in June 2004 the Referral Alternative Map replaced the previous land use maps, including the working copy land use map, as the land use map for the environmental analysis in the DEIR. Therefore, while the County information provided to SANDAG for the preparation of the 2004 RCP was the most recent data available during preparation of the RCP, it is now out of date and was not used in the environmental analysis of the DEIR.
- G2-15 This comment provides quotations from two SANDAG documents and does not raise a significant environmental issue for which a response is required.
- G2-16 The County disagrees that the population forecasts developed by SANDAG are faulty because they are based on County-provided data. This comment incorrectly identifies SANDAG forecasts as "population targets." SANDAG forecasts are not intended to set a goal for the future population of the County. The forecasts are intended to provide an estimate of future population growth in the County for planning purposes. SANDAG is the regional planning agency for San Diego County, made up of the 18 incorporated cities and the County. SANDAG relies on information provided by the incorporated cities and the County because each jurisdiction is in charge of its own planning, including proposed land uses, and ultimately determines the level of future growth within its jurisdiction. SANDAG provides a forum for coordinated planning on regional issues. As stated in the *2030*

## Responses to Letter G 2, Back Country Coalition (cont.)

*Regional Growth Forecast Update: Process and Model Documentation*, published by SANDAG in April 2008<sup>1</sup>:

“The 2030 Regional Growth Forecast Update is based solely on the current, adopted general and community plans of the 18 cities, and the most recent (June 2006) version of the County’s General Plan update. It includes no assumptions about how local plans and policies might evolve over time in response to the region’s continuing growth. The current forecast provides an assessment of where our plans of today, if left unchanged, will likely take us in coming decades.”

SANDAG prepares its forecasts using the most up to date planning information available during forecast preparation, which in the case of the 2030 Regional Growth Forecast Update was the June 2006 version of the County’s General Plan Update. SANDAG recognizes that conditions in the County may change, as well as the plans and policies on which the population forecasts are based; however, it does not speculate on what these changes might be. Therefore, as a result of changing conditions in the region, SANDAG periodically updates its population forecast. The DEIR used the most recent population forecast available at the time of DEIR preparation, the July 2008 forecast. Additionally, the above quote disputes the commenter’s claim that SANDAG “targets” reflect a predetermined capacity. The SANDAG population forecast is an assessment of future conditions based on the planning documents of the jurisdictions in the region; it does not represent the capacity of the region.

The County also disagrees with the suggestion that the County relies on SANDAG data as “superior expertise.” As described in Section 1.13.2 of the DEIR, Differences with SANDAG Population Model Forecast, regional planning documents, including SANDAG documents, were used in EIR preparation. As the regional planning agency for San Diego County, SANDAG documents represent a source of comprehensive information for the County. The County does not use SANDAG documents based on superior expertise; rather, they are used because of their relevance to the environmental analysis, especially for issues that are regional in nature. For example, under the Impact Analysis heading of Section 2.15.3.1, Issue 1 – Unincorporated County Traffic and LOS Standards, under the heading Regional Roadway Facilities, the DEIR states that the 2030 RTP provides the planning foundation for transportation improvements throughout the San Diego region through the year 2030. The traffic impact analysis prepared for the 2030 RTP EIR evaluated potential impacts associated with regional roadway facilities, while accounting for the planning efforts of local governments, including the proposed General Plan Update. Therefore, the RTP prepared by SANDAG was the appropriate document to use for the analysis of General Plan Update impacts associated with regional roadways in the unincorporated County. Please refer to response to comment G2-13 regarding the use of the SANDAG population forecast in the DEIR analysis. The SANDAG population forecast was used because it represents the more conservative forecast.

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<sup>1</sup> San Diego Association of Governments. 2030 Regional Growth Forecast Update: Process and Model Documentation. April 2008. Online URL: [http://www.sandag.org/uploads/publicationid/publicationid\\_833\\_3750.pdf](http://www.sandag.org/uploads/publicationid/publicationid_833_3750.pdf)

**Responses to Letter G 2, Back Country Coalition (cont.)**

The County also disagrees with the assertion that use of SANDAG information is a misrepresentation of population forecasts because the SANDAG results are created by the County. SANDAG results are not created by the County. As described in the quote provided from the 2030 Regional Growth Forecast Update, the County provides data that SANDAG uses in its modeling process. The type of data provided by the County is consistent with type data that is gathered from the 18 incorporated cities. Both the County data and data from the incorporated cities are used by SANDAG. As described above, SANDAG relies on information provided by the County and incorporated cities because each jurisdiction ultimately determines future growth within its jurisdiction. No one jurisdiction “creates” a result; rather, the data from the County is one component of the SANDAG modeling process. Therefore, use of SANDAG data is not a fraudulent misrepresentation of the County’s population forecast. The differences between the SANDAG population model and the County’s model are disclosed in Section 1.13.2 of the DEIR, Differences with SANDAG Population Model Forecast.

G2-17 This comment incorrectly links the SANDAG 2005 population estimate’s role in the County’s population forecast with the April 2008 SANDAG population forecast and estimate. The County of San Diego has used, since that time, existing land use data, constraints and population estimates from 2005 in the population model. Since one of the main uses of the Population Model was for comparing alternatives, when SANDAG released updated population estimates the County did not revise the “Base Year” of 2005 in the population model. The population forecast makes a prediction of future population growth in the unincorporated County, as described in response to comment G2-16. The population estimates annually released by SANDAG reflect the population for a given year based on local assumptions and data from the U.S. Census Bureau and the California Department of Finance<sup>2</sup>. This estimate is intended to reflect existing conditions and does not make a prediction of future population. Additionally SANDAG develops population forecasts which use plans in the region to assume where growth will take place for Transportation and Regional Planning Purposes. This model, and differences with the County’s Model, is explained further in the DEIR, Section 1.13.2.

G2-18 The County disagrees with the comment that no evidence is available to support the County’s population forecast number. Substantial evidence is the basis for determining an environmental impact, as identified in Section 15064(f) of the CEQA Guidelines. Section 15384 of the CEQA Guidelines defines substantial evidence as “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.”

The DEIR provides substantial evidence that supports the use of the County’s population forecast model. The comment incorrectly implies that the DEIR is based on a population forecast derived from an unpublished 2006 draft of the General Plan Update. Please refer to response to comment G2-16 regarding the methodology of

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<sup>2</sup> San Diego Association of Governments, 2009. “Annual population totals released.” Online URL: <http://www.sandag.org/index.asp?newsid=383&fuseaction=news.detail> Accessed October 26, 2009

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**Responses to Letter G 2, Back Country Coalition (cont.)**

the 2030 Regional Growth Forecast Update. SANDAG's Regional Growth Forecast Update was based on the information provided in the 2006 draft of the General Plan Update, not the County's population forecast. The County's population forecast is based on the County's population forecast model, described in DEIR Section 1.13.1, Components of the County Population Forecast Model. As stated in this section:

"The County's model identifies the number of future residential units that would be allowed at build-out according to the proposed land use map and existing constraints. From this information, the forecast population is derived by considering several additional factors, such as existing population, population living in group quarters, vacancy rate, and persons per household."

This section of the DEIR details the primary components of the County's population model, including the sources of all data used in the forecast, and the results of the model. Therefore, the DEIR provides substantial evidence for the validity for the County's population forecast model, which was used to develop the County's population forecast. This information was made available for review by the public and decision makers in the DEIR.

The County also disagrees with the assertion that the DEIR does not provide evidence required by CEQA for the source of SANDAG data used for SANDAG's 2005 population estimate. The source of the data used by the County is SANDAG's population estimate, as provided in Section 1.13.1 of the DEIR. The DEIR is not required under CEQA to provide the source used by SANDAG, only the source of data used by the County. Section 15148 of the CEQA Guidelines states that that an EIR shall cite all documents used in preparation of the EIR. Section 15384 of the CEQA Guidelines (quoted above) regarding substantial evidence does not require an EIR to provide to sources of references used in the EIR, only enough relevant information to support the conclusion in the EIR. The source of the County's population estimate is cited in the DEIR and represents the relevant information for this conclusion. Therefore, the DEIR is consistent with CEQA regarding substantial evidence and references. Additionally, the DEIR does generally provide the source of SANDAG's population data. As stated in Section 1.13.1 of the DEIR, SANDAG is the Regional Census Data Center for the San Diego region. SANDAG /SourcePoint keeps a complete inventory of data released from the 1990 and 2000 Censuses and each year, SANDAG produces estimates of population and housing characteristics according to geographic areas within the County.

Please refer to response to comment G2-12 regarding the use of the SANDAG population forecast for some DEIR environmental analyses. Clarifying text has been added to DEIR Section 1.13.2, Differences with SANDAG Population Model Forecast, explaining that the SANDAG forecast was used in the DEIR because it represents the more conservative population forecast.

- G2-19     The County does not agree with this comment. As discussed in the response to comment G-18, the DEIR provides substantial evidence, as defined in Section 15384 of the CEQA Guidelines, to support the use of the County's population forecast and SANDAG's population forecast. Similarly, the environmental analyses provided in



**Responses to Letter G 2, Back Country Coalition (cont.)**

DEIR Section 2.12, Population and Housing, provide substantial evidence to support the conclusions made in this section.

In Section 2.12.3.1, Issue 1: Population Growth, the DEIR provides relevant population data information from the Department of Finance and SANDAG, both of which are discussed further in Chapter 1.0, Project Description. The analysis compared the growth accommodated by the General Plan Update to the population projections from both data sources to determine whether the General Plan Update would induce additional growth beyond what is forecasted for the unincorporated area. In Section 2.13.3.2, Issue 2: Displacement of Housing, the DEIR provides the methodology for the three types of analyses conducted to determine whether the proposed land use map would produce adequate levels of dwelling units to house future population growth. Additionally, the proposed land use map is compared to existing land uses in the County to determine if the future development of non-residential land uses would displace any existing residential land uses. The conclusion provided in Section 2.12.3.2 also supports the conclusion provided in Section 2.13.3.3, Issue 3: Displacement of People. DEIR Section 2.12.4, Cumulative Impacts, provides a description of the plans and regulations that the cumulative projects identified in Chapter 1.0, Project Description, would be required to comply with that would reduce cumulative impacts to below a significant level. Therefore, substantial evidence is provided to support the conclusions provided in Section 2.12, Population and Housing.

- G2-20 This comment reiterates comments G2-11 through G2-19, with which the County disagrees. Refer to the responses to these prior comments for a detailed response to this comment. As discussed in these responses, the population information provided in the DEIR is accurate and was obtained from an appropriate source. The higher population projection from SANDAG is used in the DEIR analysis because it represents the more conservative forecast which results in a worst-case analysis of environmental impacts. Current economic conditions are not accounted for in the DEIR because the existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and is the date established for the environmental baseline. This is consistent with Section 15125 of the CEQA Guidelines.
- G2-21 This comment reiterates comments G2-2 through G2-20. Refer to the responses to these prior comments for a detailed response to this comment. As discussed in these comments, the information presented in the DEIR regarding population forecasts is accurate and obtained from appropriate sources. Additionally, the sources for the information provided in the DEIR, including population forecasts, are provided in DEIR Chapter 5.0, References, which is available for review by the public and the decision makers.
- G2-22 This comment quotes a section of the CEQA Guidelines. It does not raise a significant environmental issue for which a response is required.
- G2-23 The County disagrees that the DEIR is incomplete without the information requested in comment G2-2 through G2-21 regarding current economic conditions because this information was known prior to the public review DEIR release date. Refer to

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- response to comment G2-10. Consistent with CEQA Guidelines Section 15125, existing conditions provided in the DEIR describe conditions on or around April 2008, which is when the NOP was circulated for public review and therefore is the date established for the environmental baseline. As discussed in the responses to comments G2-2 through G2-21, the information provided in the DEIR regarding population forecasts is accurate and complete. Therefore, no revisions to the DEIR are necessary as a result of this comment.
- G2-24 The County disagrees that the DEIR should be revised to include a population forecast that considers current economic conditions. Refer to responses to comments G2-2 through G4-23 for a detailed response to this comment. As discussed in response G2-11, the County acknowledges that SANDAG will likely publish a lower population growth forecast. However, this forecast was not available for use as the environmental baseline for future population growth identified in the DEIR. Existing conditions provided in the DEIR describe conditions on or around April of 2008, which is when the NOP was circulated for public review and therefore is the date established for the environmental baseline. This is consistent with Section 15125 of the CEQA Guidelines. Furthermore, a revised SANDAG population growth forecast is still not available, as of the date of the comment letter on August 31, 2009. Because this information is not yet available, analysis of a lower population growth scenario would not be appropriate. No revisions to the DEIR were made in response to this comment.
- G2-25 The County disagrees with the comment. Refer to responses to comments G2-2 through G2-24 regarding the population forecast used in the DEIR. This comment also introduces a set of comments related to public safety that are addressed in responses to comments G2-26 through G2-38. It does not raise a significant environmental issue for which a response is required.
- G2-26 The County disagrees with this comment. The quote provided in the comment from DEIR Section 2.13.3.1, Issue 1: Fire Protection Services is a conclusion from the Impact Analysis regarding the potential impacts of the General Plan Update. The point of this statement is that future development under the General Plan Update would result in the need for new or expanded facilities to meet acceptable travel times, because the construction of these new or expanded facilities would have significant effects on the environment. Therefore, this section of the DEIR concludes that the General Plan Update would result in a potentially significant impact. As discussed in CEQA Guidelines Section 15064(d), the lead agency shall consider the direct and indirect physical changes in the environment which may be caused by project. Travel times are only relevant in the context of the provision of services to determine if new or expanded facilities are needed. In this case, the physical change in the environment would be from the construction or expansion of fire facilities. DEIR Section 2.13.6.1, Issue 1: Fire Protection Services identifies mitigation measures that would be implemented to reduce the impact to a less than significant level. In addition, the DEIR states that mitigation measures identified in Sections 2.1 through 2.17 would also mitigate impacts related to the construction or expansion of fire protection facilities and incorporates these measures by reference.

**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-27 The County does not agree with this comment. Section 2.13.6.1 of the DEIR, Issue 1: Fire Protection Services includes General Plan Policy S-6.3, Funding Fire Protection Services, which requires development to contribute its fair share towards funding the provision of fire protection services. Therefore, the DEIR does include a mechanism to demonstrate that funding for new fire facilities would be provided concurrent with anticipated growth.
- G2-28 The opinion expressed in this comment is speculative and no evidence is provided to support it. No further response is required.
- G2-29 The County disagrees with this comment. The assertions that “fair share” contributions would not be adequate and that the County will approve projects with inadequate fire protection are unsubstantiated and speculative. Further, previous County planning decisions are not germane to the proposed project or within the purview of the DEIR. Section 2.13.6.1, Issue 1: Fire Protection Services provides a number of General Plan Update policies and mitigation measures that would ensure future development is provided with adequate fire protection service and existing services are not impaired. For example, General Plan Update Policy LU-1.6, Village Expansion, would allow new Village development only in cases where existing services could support the expansion without a reduction of public services. General Plan Policy S-6.2, Fire Protection for Multi-Story Developments, requires coordination with fire providers to improve fire protection services for multi-story construction. Policy S-6.4, Fire Protection Services for Development, requires that development demonstrate fire services can be provided that meet County required minimum travel times. General Plan Update Policy S-6.5, Concurrency of Fire Protection Services, requires fire protection staffing, facilities, and equipment required to serve development are operating prior to, or in conjunction with development. Mitigation measure Pub-1.3 would limit unexpected demands for new or expanded public services. Pub-1.4 would limit future development in hazardous wildfire areas so that extensive fire protection facilities are not necessary. Mitigation measure Pub-1.5 would require future projects to obtain service commitments from fire protection districts. Therefore, the DEIR identifies numerous General Plan Update policies and mitigation measures that would ensure adequate fire protection services are provided for both new and existing development.
- G2-30 This comment does not address the General Plan Update or the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-31 This comment does not address the General Plan Update or the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-32 The County disagrees that the recommendations in the General Plan Update are in any way related to the Merriam Mountain discretionary project. It should be noted that the Merriam Mountain project is not proposing a shelter-in-place design, nor is the project proposing to reduce road widths below County Standards. In addition, the Conservation Subdivision Program does not propose reducing road widths to

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- widths that would be inconsistent with applicable public safety considerations. Therefore, no changes have been made as a result of this comment.
- G2-33 This comment provides a quote from a 2007 North County Times newspaper article pertaining to another project in the unincorporated County. This comment does not address the General Plan Update or the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-34 This comment does not address the General Plan Update or the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-35 The County does not agree with this comment. The quoted statement is the conclusion of the Impact Analysis for this issue, not a mitigation measure, suggestion or recommendation. DEIR Table 2.13-14, Table of Travel Time Standards for Fire Protection, identifies the travel time standards for emergency fire response that would be required to be achieved under the General Plan Update. Therefore, travel times are required in the DEIR.
- G2-36 A “shelter-in-place” scheme is not proposed in either the General Plan Update or DEIR. This comment does not address the General Plan Update or the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-37 As stated in response to comment G2-36, a “shelter-in-place” scheme is not proposed in either the General Plan Update or DEIR. This comment does not address the General Plan Update or the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-38 The County agrees that DEIR Section 2.13.1.1, Fire Protection states that there are very few unincorporated areas not included within the service area boundary of a public agency that provides fire protection services. However, the County disagrees with the implication that these areas do not receive any fire protection services. As described in DEIR Section 2.13.1.1, Fire Protection, service to unprotected areas is randomly provided by the surrounding agencies, which take action on a case-by-case basis after considering their resources and assessing the risk of not responding. This issue of unserved islands has been recognized by the LAFCO Commission and LAFCO staff is currently working with local fire districts and cities for possible annexation of these islands. Therefore, planning efforts are underway to address this issue.
- G2-39 The County disagrees with the opinion presented in the comment. The commenter implies that no fire services are provided to areas not within the service area boundary of a fire protection agency, which is incorrect. As discussed in the quote provided in the comment, service to unprotected areas is randomly provided by the surrounding agencies, which take action on a case-by-case basis after considering their resources and assessing the risk of not responding. Therefore, these areas do receive fire protection services from surrounding agencies as well as CAL FIRE. The issue of unserved islands has been recognized by the LAFCO Commission and

**Responses to Letter G 2, Back Country Coalition (cont.)**

- LAFCO staff is currently working with local fire districts and cities for possible annexation of these islands. Additionally, it should be noted that the DEIR quote provided in the comment is from a discussion of existing conditions in the County, not the impact analysis or mitigation measures sections, which focus on the impacts of the proposed project. No revisions were made to the DEIR in response to this comment.
- G2-40 The County does not agree with this comment. The DEIR quote provided in the comment is from a discussion of existing conditions in the County and states an existing County policy, which is Policy 1.2 from the County Service Area Assessments section of the existing General Plan Public Facilities Element and its associated implementation measures (see page XII-11-10). The DEIR quote does not address the impacts of the proposed project or proposed mitigation measures; therefore, no revisions were made to the DEIR in response to this comment.
- G2-41 The County does not with this comment. The commenter incorrectly interprets the intent of the DEIR quote identified in the comment. This quote is taken from DEIR Section 2.13.1.1, Fire Protection, which describes the existing conditions in the unincorporated County, not the potential impacts of the proposed General Plan Update. It does not demonstrate the County has no intention of upgrading its roadways for the purpose of enhanced public safety. As discussed in DEIR Section 1.7.1.3, Mobility, the Mobility Element of the General Plan Update includes a description of the County's transportation network and the goals and policies that address the safe and efficient operation of the network. One important objective of the General Plan Update road network planning effort was to develop a road network that is efficiently and adequately correlated with the planned land uses on the proposed land use map. Additionally, Mobility Element Policy M-4.4, Accommodate Emergency Vehicles, as identified in DEIR Section 2.15.6.3, Issue 3: Rural Road Safety requires public and private roads to be designed to accommodate emergency vehicles. Therefore, the General Plan Update Mobility Element demonstrates that the County would enhance public safety by improving roadways.
- G2-42 The County disagrees with the comment. The DEIR analyzes the potential impacts of implementation of the General Plan Update as compared to existing conditions; it does not speculate on the actions that have lead to the existing conditions. This comment does not raise a significant environmental issue for which a response is required.
- G2-43 The County disagrees with the opinion presented in the comment. The Conservation Subdivision Program (CSP) does not relax road standards related to emergency access. Component #1 of the CSP, Subdivision Ordinance Amendment, states that reduced road widths and smaller curved radii may be implemented, but must be consistent with applicable public safety considerations. Therefore, the commenter is incorrect in stating that the CSP will create fire safety problems.
- Additionally, the proposed amendments to the Resource Protection Ordinance (RPO), described in DEIR Section 1.8.5, would allow for some encroachments within steep slopes for certain development when necessary to avoid particularly sensitive resources. This condition would be approved on a case by case basis and would be



## Responses to Letter G 2, Back Country Coalition (cont.)

- required to be consistent with applicable public safety considerations. In addition, roadways under the RPO and CSP would still be required to comply with Mobility Element Policy M-4.4, Accommodate Emergency Vehicles, which requires public and private roads to be designed to accommodate emergency vehicles. Therefore, the General Plan Update would not allow steep, substandard roads that cannot be served by fire equipment. No revisions were made to the DEIR in response to this comment.
- G2-44 Although the quotation provided in this comment is not entirely correct, the determination in the DEIR is that potentially significant direct and cumulative impacts would be mitigated to a level below significant. This is based on the Guidelines for the Determination of Significance in Section 2.13.3.1, Issue 1: Fire Protection: the proposed General Plan Update would have a significant impact if it would result in substantial adverse physical impacts associated with the provision of new or physically altered facilities. The County does not agree that protection services “are and will continue to be inadequate, individually and cumulatively.” The commenter does not provide supportive evidence or reasoning for this assertion; therefore, no further response can be provided.
- G2-45 This comment summarizes the opinions expressed in comment G2-25 through G2-44. As discussed in the responses to these comments, the County does not plan for inadequate roadways or infrastructure, and the commenter does not disprove the fire protection conclusions identified in the Section 2.13 of the DEIR, Public Services.
- G2-46 The County disagrees with the opinion provided in the comment. The purpose of the DEIR is to identify and mitigate to the extent feasible, the potential environmental impacts that would result from implementation of the General Plan Update. Please refer to responses to comments G2-25 through G2-45 for responses to specific concerns related to public safety expressed by the commenter.
- G2-47 The County disagrees with the comment that the Fallbrook Community Planning Area (CPA) is one of the three communities planned for the greatest increase of population growth. The County does agree that Valley Center and Ramona are two of the three communities planned for the greatest number of people that would be accommodated under the General Plan Update. As shown in Table 1-4, Anticipated Increase in Population 2008 - Build-Out Under General Plan Update, the greatest increase in population under the General Plan Update would be accommodated in the North County Metro community (39,441 people), followed by Valley Center (21,051 people) and Ramona (18,747 people). In the Fallbrook CPA, the population is estimated to increase by 16,702 people.
- The County agrees that Ramona is one of the top three communities with the greatest number of total lane miles operating at LOS E or F, but disagrees with the commenter that the Fallbrook and Valley Center CPAs make up the other two communities in this category. As identified in Table 2.15-6, Existing Conditions Roadway Lane Miles by LOS, the three communities with the greatest number of total lane miles operating at LOS E are Ramona CPA (21 miles), Fallbrook CPA (17 miles), and Lakeside CPA (17 miles). The three communities with the greatest number of total lane miles operating at LOS F are Lakeside (33 miles), San Dieguito

## Responses to Letter G 2, Back Country Coalition (cont.)

(22 miles), and Ramona (19 miles). The three communities with the greatest total number of lane miles operating at either LOS E or F are Lakeside CPA (50 miles), Ramona CPA (40 miles) and San Dieguito CPA (32 miles).

The commenter is comparing growth at build-out of the General Plan Update with existing roadway conditions. Table 2.15-20, Proposed Roadway Lane Miles by LOS, identifies the lane miles that would operate at LOS E or F with implementation of the General Plan Update, including the growth listed in Table 1-4, and represents a more relevant comparison for relating proposed growth to roadway LOS. As shown in Table 2.15-20, the communities with the most lane miles that would operate at a LOS E with implementation of the General Plan Update are Fallbrook CPA (23 miles), San Dieguito CPA (11 miles), Valley Center CPA (11 miles), and Lakeside CPA (11 miles). The communities with the most lane miles that would operate at a LOS F with implementation of the General Plan Update are San Dieguito CPA (24 miles), Lakeside CPA (20 miles), Valley Center CPA (14 miles), and Jamul/Dulzura Subregion (14 miles). Therefore, Ramona CPA is not one of the top three communities with the greatest number of miles operating at LOS E or F under the General Plan Update, and Fallbrook CPA is not one of the top three communities with the greatest number of miles operating at LOS F under the General Plan Update.

- G2-48 This comment discusses the existing roadway lane mile LOS conditions in the Alpine CPA and attempts to connect them to an evacuation scenario that occurred during the 2003 Cedar fire. It does not raise a significant environmental issue for which a response is required. Therefore, no further response is necessary.
- G2-49 The County disagrees with the comment that substandard roads are planned to continue into the future under the proposed General Plan Update. The DEIR acknowledges under the Impact Analysis heading in Section 2.15.6.4, Issue 4: Emergency Access that under the proposed General Plan Update, existing inadequate roadway widths, dead end roads, one-way roads, and gated communities, all of which have the potential to impair emergency access, would still occur. However, these roadways are existing roadways, not roadways planned under the General Plan Update. As stated in this section of the DEIR, roadways that would be constructed as part of the proposed General Plan Update would be required to meet current State and County standards for adequate emergency access. However, because existing unsafe roadways would have the potential to remain after implementation of the General Plan Update, the DEIR determined that this would be considered a potentially significant impact and mitigation would be required. The General Plan Update policies and mitigation measures identified in Section 2.15.6.4, Issue 4: Emergency Access would mitigate impacts related to emergency access to a less than significant level by requiring adequate access roads to be provided for both emergency access and evacuation routes. For example, General Plan Update Policy M-3.3, Multiple Ingress and Egress, would require new development to provide multiple ingress/egress routes in conformance with State law, and local regulations. General Plan Update Policy M-4.4, Accommodate Emergency Vehicles, requires that public and private roads be designed and constructed to allow for necessary access for appropriately sized fire

**Responses to Letter G 2, Back Country Coalition (cont.)**

- apparatus and emergency vehicles while accommodating outgoing vehicles from evacuating residents. Therefore, the General Plan Update does not plan to continue to provide substandard roads within the County.
- G2-50 This comment does not address the General Plan Update or DEIR. Therefore, no further response is necessary.
- G2-51 This comment does not address the General Plan Update or DEIR. Therefore, no further response is necessary.
- G2-52 The County does not agree with this comment. As discussed in response to comment G2-49, the DEIR does acknowledge that existing inadequate roadway widths, dead end roads, one-way roads, and gated communities, all of which have the potential to impair emergency access, would continue to exist under the proposed General Plan Update. However, General Plan Update policies and mitigation measures identified in Section 2.15.6.4, Issue 4: Emergency Access would mitigate impacts related to emergency access to a less than significant level by requiring adequate access roads to be provided for both emergency access and evacuation routes; new development to provide multiple ingress/egress routes in conformance with State law, and local regulations; and that public and private roads be designed and constructed to allow for necessary access for appropriately sized fire apparatus and emergency vehicles while accommodating outgoing vehicles from evacuating residents. These requirements would require the provision of new emergency access routes that would reduce evacuation problems.
- The County disagrees that future growth accommodated in the Ramona CPA would increase evacuation problems. As discussed in Response to comment G2-47, the Ramona CPA is not one of the top three communities identified as having the greatest number of lane miles operating at LOS E or F with implementation of the General Plan Update. Additionally, roads that operate at LOS E or F on a day-to-day basis do not necessarily present a significant evacuation problem. General Plan Update Policy S-3.5, Access Roads, listed in Section 2.15.6.4, Issue 4: Emergency Access requires new development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently. This policy, along with the policies provided in response to comment G2-49, requires that adequate emergency access be provided concurrently with new development. Therefore, emergency access to support growth in the Ramona CPA would be provided concurrently with new development, so that new development would not significantly increase evacuation problems.
- G2-53 The County disagrees with the comment that no improvements are planned for roadways currently operating at LOS F or secondary evacuations routes for dead end streets in the Alpine Community Planning Area (CPA). The commenter does not identify a particular roadway of concern. DEIR Appendix I, Impacted Roadway Segment and Supporting Rationale for LOS E/F Level Acceptance, identifies seven segments on five roadways in the Alpine CPA that would operate at LOS E or F with implementation of the proposed project. While the improvements necessary for these segments to operate at LOS D or better would not be implemented for the reasons identified in Appendix I, some improvements would be made to these

**Responses to Letter G 2, Back Country Coalition (cont.)**

roadways that would alleviate traffic in Alpine. As identified in Appendix E, Proposed Road Construction Widening, three streets in Alpine, including Alpine Boulevard, Tavern Road, and West Willows Road, would be widened. Additionally, a new road and new interchange are proposed for the Alpine CPA. Therefore, roadway improvements are planned for roadways that would operate at a LOS E or F in the Alpine CPA. Dead end streets in the Alpine CPA are typically private roads or local roads that are not included in the Mobility Element Circulation Network or the SANDAG 2030 regional transportation Plan (RTP). Therefore, no Circulation Network or SANDAG RTP improvements are planned for these roadways. However, improvements would be made to local roads and dead end streets for evacuation through implementation of General Plan Update policies when new construction is proposed. For example, General Plan Update Policy M-3.2, Traffic Impact Mitigation, requires new development to contribute its fair share toward financing transportation facilities, including mitigating the associated direct and cumulative traffic impacts caused by the project on both the local and regional road networks. General Plan Update Policy M-4.2, Interconnected Local Roads, encourages an interconnected and appropriately scaled local public road network in village and rural village areas that reinforces the compact development patterns promoted by the Land Use Element and individual community plans. These policies are listed in DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards. Additionally, mitigation measure Tra-4.1 in DEIR Section 2.15.6.4 requires community plans to be updated to identify local public road and fire access road networks and pedestrian routes, as appropriate. Therefore, improvements to existing roads in the Alpine CPA to improve evacuation routes would take place concurrent with future development and as a result of updating the Alpine Community Plan.

- G2-54 This comment describes the Back Country Coalition's participation in a San Diego Planning Commission Subcommittee on Public Road Standards. This comment does not address the DEIR or the General Plan Update. No further response is required.
- G2-55 This comment refers to an attached letter that describes existing roadway conditions in the County. This comment does not address the DEIR, but implies that the road network planning for the General Plan Update did not adequately address community evacuation routes during emergencies. While the General Plan Update focused on the Mobility Element network, additional road network planning for communities is identified in the draft Implementation Plan as measures 4.2.1C Local Public Road Network and 4.2.4.A Community Emergency Evacuation Routes. These measures identify future actions to coordinate with community planning and sponsor groups to identify local public road networks and community evacuation routes in community and subregional plans.
- G2-56 The County does not agree with this comment. The DEIR identifies mitigation measures in Section 2.15.6.3, Issue 3: Rural Road Safety that would reduce the significant impact to rural road safety to below a significant level. Therefore, the DEIR does include mitigation to make roadways "acceptable." However, some of the identified mitigation measures were found to be infeasible. As a result, the DEIR

**Responses to Letter G 2, Back Country Coalition (cont.)**

- determined that impacts would be significant and unavoidable. This significance determination is consistent with Section 15126.2(b) of the CEQA Guidelines, which requires the DEIR to describe any significant impacts, including those which can be mitigated but not to below a significant level. Therefore, the statement in the DEIR that impacts to rural road safety would be significant and unavoidable is consistent with CEQA.
- G2-57 The County disagrees with the comment. The DEIR does not deny the existence of hazardous road conditions. As discussed above in response to comment G2-56, the DEIR identifies a significant impact to rural road safety in Section 2.15.3.3, Issue 3: Rural Road Safety, as a result of the growth accommodated by the General Plan Update and identifies mitigation measures in Section 2.15.6.3, Issue 3: Rural Road Safety, that would reduce this impact to below a significant level. However, some of the identified mitigation measures were found to be infeasible. As a result, the DEIR determined that impacts would be significant and unavoidable.
- G2-58 The County does not agree with this comment. The County will consider this suggestion; however, this comment does not raise a significant environmental issue for which a response is required. The DEIR identifies the potential environmental impacts of full build-out of the General Plan Update. No further response is required.
- G2-59 The County does not agree with this comment. It is unclear what the commenter is referring to as a Community Evacuation Plan. No plans that would dismiss roadway inadequacies are proposed in the General Plan Update or DEIR. The General Plan Update's impact to emergency response and evacuation plans is analyzed in Section 2.7.3.7, Issue 7: Emergency Response and Evacuation Plans. As stated in this section, implementation of the General Plan Update would increase land uses and development in areas that may not have accounted for this growth in their existing Emergency Response and Evacuation plans. Therefore, the proposed project would have the potential to impair these adopted Emergency Response and Evacuation Plans. The General Plan Update policies and mitigation measures proposed in Section 2.7.6.7, Issue 7: Emergency Response and Evacuations Plans would reduce impacts to below a significant level.
- G2-60 The comment does not provide any evidence of the inefficiencies of evacuation plans in the County that would result from implementation of the General Plan Update. This comment does not raise a significant environmental issue for which a response is required.
- G2-61 The County disagrees with the comment. The commenter incorrectly implies that the DEIR concludes the project would result in a significant and unavoidable impact to emergency access. The DEIR does identify a potentially significant impact in Section 2.15.3.4, Issue 4: Emergency Access; however, the mitigation measures proposed in Section 2.15.6.4, Issue 4: Emergency Access would reduce impacts to below a significant level. Also, this comment incorrectly implies that the CSP would allow substandard roadways that would result in significant emergency access impacts. Component #1 of the program, Subdivision Ordinance Amendment, states that reduced road widths and smaller curved radii may be implemented, but also requires that roadways must be consistent with applicable public safety

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- considerations. Additionally, roadways under the CSP would still be required to comply with Mobility Element Policy M-4.4, Accommodate Emergency Vehicles, which requires public and private roads to be designed to accommodate emergency vehicles.
- G2-62 This comment does not address the adequacy or accuracy of information provided in the DEIR or the General Plan Update. It does not raise a significant environmental issue for which a response is required.
- G2-63 The County disagrees with the comment. DEIR Section 2.15.6.4, Issue 4: Emergency Access identifies nine General Plan Update policies and four mitigation measures that would reduce impacts associated with emergency access to below a level of significance. The DEIR passage referred to in the comment is an excerpt from the impact analysis in Section 2.15.3.4, Issue 4: Emergency Access. This sentence contained an error and has been revised as follows for clarification purposes.
- “To the extent feasible, significant environmental impacts occurring from construction of new roadway segments under the General Plan Update would be mitigated to below a level of significance. However, some environmental impacts associated with the construction of roadway facilities may be significant and unavoidable, such as impacts associated with noise, hydrology/water quality, and biology transportation hazards such as impaired emergency access. These impacts are discussed in detail in other sections of this DEIR. Therefore, this would be considered a potentially significant impact and mitigation would be required.
- G2-64 This comment is not at variance with the content of the DEIR. The purpose of the DEIR is to identify the potential environmental impacts of the General Plan Update, and identify feasible mitigation measures to minimize significant impacts, as stated in Sections 15121 and 15126.4 of the CEQA Guidelines. The DEIR provides measures to mitigate impacts to the extent feasible for unincorporated County traffic in Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, and for road safety in Section 2.15.6.3, Issue 3: Rural Road Safety. However, the DEIR determined that both impacts would remain significant and unavoidable, even with the incorporation of identified mitigation. These significance determinations are consistent with Section 15126.2(b) of the CEQA Guidelines, which requires the DEIR to describe any significant impacts, including those which can be mitigated but not to below a significant level. The commenter does not provide any suggestions for additional feasible mitigation measures. Therefore, no further response is required.
- G2-65 The County disagrees with the comment. Please refer to response to comment G2-64 above. The DEIR was prepared in compliance with CEQA. As stated in Section 15121 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision makers and the public of the significant environmental impacts of a proposed project. The DEIR is not intended to be a planning document that establishes planning practices. Therefore, no revisions to the DEIR are required in response to this comment.



**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-66 The County does not agree with the comment. The commenter incorrectly states that impacts would be unmitigated in the DEIR. Feasible mitigation measures are included in the DEIR for every significant impact identified. The DEIR does identify impacts that would be significant and unavoidable, even with mitigation, which are listed in Section 3.3, Significant and Unavoidable Impacts. Also refer to response to comments G2-47 through G2-64 for additional responses regarding the project's potential impacts and mitigation measures.
- G2-67 The County disagrees with the comment. The commenter fails to acknowledge that if the County's population growth projections are lowered, this population growth would still occur in other locations outside the County's jurisdiction. Most likely the growth would occur in the 19 incorporated cities in the County and surrounding counties, which have not adequately planned for the additional population growth. Under this scenario, the project would result in a potentially significant regional population and housing impact by inducing substantial population growth outside the County's jurisdiction. Refer to responses to comments G2-2 through G2-24 regarding the population forecasts included in the DEIR.
- Regarding water supply, the General Plan Update would concentrate the majority of population growth in areas served by the San Diego County Water Authority (SDCWA) and in proximity to existing infrastructure. Refer to Section 2.16.3.4, Issue 4: Adequate Water Supplies, for a discussion of imported water and groundwater resources, drought conditions and global warming effects of water supply. No further response is required.
- G2-68 This comment states the commenter's preference for the approval of the Environmentally Superior Alternative. This alternative, and all other proposed alternatives, will be considered by the County Board of Supervisors when making a final decision regarding project approval. This comment does not raise an environmental issue for which a response is required.
- G2-69 The County disagrees with this comment which states that the DEIR does not adequately address water and road infrastructure insufficiencies. DEIR Section 2.16.3.4, Issue 4: Adequate Water Supplies addresses the project's potential impact to water supply. DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, and Section 2.15.3.2, Issue 2: Adjacent Cities Traffic and LOS Standards, address the project's potential impact on roadways for both the County and adjacent areas. Please refer to responses to comments G2-25 through G2-45 regarding road infrastructure issues and response to comment G2-67 regarding water supply issues.
- G2-70 The County does not agree with this comment. The DEIR addresses a reasonable range of alternatives. According to Section 15126.6 of the CEQA Guidelines, an EIR must describe a range of reasonable alternatives to the proposed project or to the proposed project location that would feasibly attain most of the project objectives but would avoid or lessen any significant environmental impacts. An EIR need not consider every conceivable alternative. The DEIR addresses four alternatives in detail and addresses another ten alternatives in Section 4.1.1, Alternatives

## Responses to Letter G 2, Back Country Coalition (cont.)

Considered but Rejected. Because the Environmentally Superior Alternative is already considered in the DEIR, an additional similar alternative is not required.

G2-71 This comment summarizes information provided in Section 4.4, Analysis of Environmentally Superior Map Alternative. This comment does not raise an environmental issue for which a response is required.

G2-72 This comment introduces the comments that are addressed in responses to comments G2-73 through G2-80. Please refer to these responses for additional information.

G2-73 The County agrees that not all areas of the unincorporated County have adequate water supplies. The quote provided by the commenter from DEIR Section 2.16.1.1, Potable Water Supply and Distribution, pertains only to the existing facilities, service areas and current and projected supply capabilities for the Metropolitan Water District of Southern California (MWD), San Diego County Water Authority (SDCWA) and the 15 SDCWA member water districts. However, as noted in this same section, although the SDCWA's 2005 Urban Water Management Plan and 2006-2007 Annual Report concluded that water supplies would be sufficient through 2030, the SDCWA has been affected by the federal court decision regarding the Delta smelt. This issue has primarily affected allocations from the State Water Project (SWP), which has accounted for approximately 30 percent of the SDCWA's water supply in recent years. Additionally, in the Descanso Community Services District (DCSD), Julian Community Services District (JCSD), and Majestic Pines Community Services District (MPCSD) discussions under the Groundwater Dependent Water District subheading in Section 2.16.1.1, the DEIR notes that water production cannot always keep up with water demand in these districts.

Additionally, the County agrees that incorporating the proposed project's population and housing data into the Regional Facilities Master Plan would not create an adequate supply of water for County residents. Future planning documents would consider the General Plan Update when determining regional water supply availability. However, the DEIR has determined that water supplies may be inadequate to serve the build-out of the proposed General Plan Update (see Future Water Supply subheading).

The County also agrees that the existing 2005 UWMPs may not accurately portray 2009 water conditions in the unincorporated County. As stated in the DEIR under the Urban Water Management Plans subheading in Section 2.16.3.4, Issue 4: Adequate Water Supplies, it is unlikely that the supply and demand projections provided in the MWD, SDCWA and SDCWA member district's 2005 UWMPs accurately portray 2009 water conditions in the unincorporated County. This issue is also discussed under the subheading Imported Water Supply in Section 2.16.1.1, Potable Water Supply and Distribution. As stated in this section, since the preparation and adoption of the 2005 UWMPs, events have occurred that may affect the accuracy of the projections included in the 2005 UWMPs. Cutbacks in water importation supplies from MWD and SDCWA were not accounted for in the 2005 UWMP supply and demand projections. Due to extreme drought conditions, in August 2007, a U.S. District Court decision was issued to protect the endangered

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- Delta smelt (fish). As a result of this ruling, MWD is estimated to see as much as a 20 to 30 percent reduction in SWP supplies in 2008 and beyond. Additionally, climate change due to global warming also creates new uncertainties that significantly affect California's water resources and lessen the reliability of the 2005 UWMPs. These factors contribute to the determination identified in Section 2.16.3.4, Issue 4: Adequate Water Supplies that the proposed project would result in a potentially significant impact to water supply.
- G2-74 The County agrees that the imported water forecasts in the 2005 UWMPs cannot be used to determine if planned water supply is adequate to serve the build-out of the General Plan Update. Recent water supply issues that lessen the reliability of the 2005 UWMPs are disclosed in the DEIR. Also refer to response to comment G2-73 for more information. Additionally, the DEIR does not rely on the UWMPs to determine that water supply would be available to serve the future population accommodated under the General Plan Update. As stated in the DEIR under the Urban Water Management Plans subheading in Section 2.16.3.4, Issue 4: Adequate Water Supplies, implementation of the proposed General Plan Update would increase both population and housing units within each County water district's service area in a manner that is not currently planned for in the most recent (2005) water planning documents. This information contributes to the determination identified in Section 2.16.3.4, Issue 4: Adequate Water Supplies that the proposed project would result in a potentially significant impact to water supply.
- G2-75 The County does not agree with this comment. The DEIR summarizes the stated purpose of the Regional Water Facilities Master Plan, which is to serve as a road map for identifying water supply sources and facilities that would be needed to ensure a safe and reliable water supply. It does not state that the Regional Water Facilities Master Plan plans for adequate water supply to serve the proposed project. This statement is not a conclusion that requires substantial evidence under CEQA. Section 15064(f) of the CEQA Guidelines identifies that substantial evidence is required as the basis for determining an environmental impact. The DEIR does not state that the Regional Water Facilities Master Plan plans for adequate water supply to serve the proposed project. In fact, the DEIR states under the Future Water Demand subheading in Section 2.16.3.4, Issue 4: Adequate Water Supplies, that the Regional Water Facilities Master Plan does not currently account for the growth proposed under the General Plan Update. The proposed General Plan Update would result in increases in population and housing in areas that may not have been accounted for in the plan. Therefore, the DEIR does not make the claim that the Regional Water Facilities Master Plan is adequate to ensure safe and reliable water supply through 2030. No additional evidence is required.
- G2-76 The County disagrees with the comment. Refer to response to comment G2-75 for information regarding substantial evidence and the information provided in the Regional Water Facilities Master Plan versus the DEIR. No revisions to the DEIR were made in response to this comment.
- G2-77 The County agrees that water supply impacts would be potentially significant, but disagrees that the DEIR does not provide detailed information regarding how this

## Responses to Letter G 2, Back Country Coalition (cont.)

significant impact would be resolved. Under the Summary subheading in Section 2.16.3.4, Issue 4: Adequate Water Supplies, the DEIR concludes that the combined effect of the impacts related to obtaining additional water supplies, the uncertainties inherent in obtaining those supplies, and construction impacts related to extraction, processing and/or conveyance of additional water supply leads to the conclusion that implementation of the proposed General Plan Update would result in a potentially significant impact related to adequate water supply. Section 2.16.6.4, Issue 4: Adequate Water Supplies, of the DEIR identifies General Plan Update policies and mitigation measures that would reduce impacts associated with water supply. These policies and mitigation measures are not conclusive or superficial. Examples of these policies and mitigation measures are provided below. Refer to EIR Section 2.16.6.4 for a complete list of the General Plan Update policies and mitigation measures that would reduce impacts to water supply.

**Policy LU-8.2: Groundwater Resources.** Require development to identify adequate groundwater resources in groundwater dependent areas, as follows:

- In areas dependent on currently identified groundwater overdrafted basins, prohibit new development from exacerbating overdraft conditions. Encourage programs to alleviate overdraft conditions in Borrego Valley.
- In areas without current overdraft groundwater conditions, prohibit new groundwater-dependent development where overdraft conditions are foreseeable.
- A groundwater basin is considered in an overdraft condition when, during average conditions over a number of years, the amount of water being withdrawn from the basin exceeds the amount of water that recharges the basin.

**Policy LU-13.2: Commitment of Water Supply.** Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.

**Mitigation measure USS-4.1.** Review General Plan Amendments for consistency with the goals and policies of the General Plan. This shall include designating groundwater dependent areas with land use density/intensity that is consistent with the long-term sustainability of groundwater supplies; locating commercial, office, civic, and industrial development in villages, town centers or at transit nodes; and ensuring that adequate water supply is available for development projects that rely on imported water.

**Mitigation measure USS-4.3.** Implement Policy I-84 requiring discretionary projects obtain water district commitment that water services are available. Also Implement and revise as necessary Board Policy G-15 to conserve water at County facilities.

G2-78      The County agrees that both existing County residents and the projected growth accommodated by the General Plan Update must be considered in determining adequate water supplies. This strategy was used to evaluate impacts in the DEIR.

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**Responses to Letter G 2, Back Country Coalition (cont.)**

The DEIR analyzes the impacts of the total build-out population of the General Plan Update, which includes both existing and future residents accommodated by the General Plan Update.

- G2-79 The County disagrees with the comment. The Regional Water Facilities Master Plan identifies a mix of water supply sources in Chapter 4, Water Supply Analysis. This chapter describes the existing and anticipated imported and local water supplies for the San Diego region. Water supply sources identified in Chapter 4 of the Regional Water Facilities Master Plan include imported water from the Colorado River Aqueduct and the SWP, demand management measures (water conservation), local surface water supplies, recycled water, groundwater supplies, and desalinated seawater. Therefore, a diverse mix of water supply sources is identified in the Regional Water Facilities Master Plan and this is not a statement of conjecture or unsubstantiated opinion. No revisions to the DEIR were made as a result of this comment. Neither the DEIR nor the Regional Water Facilities Master Plan claim that these water sources are guaranteed to be available, as is implied by the commenter.
- G2-80 This comment introduces comments G2-82 through G2-116. Refer to the responses to these comments regarding water supply and population growth in Ramona and other unincorporated areas.
- G2-81 This comment summarizes the *Stanislaus Natural Heritage Project v. County of Stanislaus* court case in which the court ruled that a first tier EIR cannot defer the identification of significant environmental impacts that a plan can be expected to cause. This comment does not raise an environmental issue for which a response is required.
- G2-82 The County disagrees with the comment. As discussed in the DEIR, the Ramona CPA is served by the Ramona Municipal Water District (MWD) and local groundwater sources. The ability of existing and planned water supplies provided by the Ramona MWD and local groundwater sources to serve the build-out of the Ramona CPA under the General Plan Update is analyzed in the DEIR. As discussed in Section 2.16.3.4, Issue 4: Adequate Water Supplies, one of the SDCWA member districts that would serve the largest population and number of housing units under the proposed project is the Ramona MWD. The DEIR determined that due to uncertainties surrounding the implementation of future water supply projects, water supplies to the Ramona MWD and the rest of the SDCWA member districts may be inadequate to serve the build-out of the proposed General Plan Update. Additionally, in the discussion of Future Water Supply for Groundwater Dependent Water Districts in Section 2.16.3.4, the DEIR determined that the Ballena Basin, which serves the Ramona CPA, could potentially have an inadequate groundwater supply to serve build-out of the General Plan Update. Therefore, the DEIR addresses the issues of inadequate water supply for the Ramona CPA. The DEIR determined that the General Plan Update would result in a significant impact, and identifies General Plan Update policies and mitigation measures to reduce the impact to the extent feasible in Section 2.16.6.4, Issue 4: Adequate Water Supplies.
- G2-83 The County agrees that the DEIR determined in Section 2.16.3.4, Issue 4: Adequate Water Supplies, that some ground-water dependent water districts have the potential

**Responses to Letter G 2, Back Country Coalition (cont.)**

- to have inadequate water supply to serve its service area. This comment is not at variance with the content of the DEIR.
- G2-84 The County disagrees with the comment, which does not provide any examples of inadequate analyses in the DEIR. In addition, the County disagrees with the commenter's statement that the DEIR lacks adequate planning. As stated in Section 15121 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision makers and the public of the significant environmental impacts of a proposed project. The DEIR is not intended to be a planning document. It identifies the potential environmental impacts of the General Plan Update as proposed.
- G2-85 The County agrees that the Environmentally Superior Alternative would result in a reduced need for new water or wastewater facilities and reduced dependence on imported water and groundwater compared to the proposed project, as discussed in the analysis of the Environmentally Superior Alternative in DEIR Section 4.4.2.16, Utilities and Service Systems. This alternative, and all other proposed alternatives, will be considered by the County Board of Supervisors when making a final decision regarding project approval.
- G2-86 The County disagrees with the commenter's opinion. The quotes from the DEIR cited by the commenter in comments G2-85 and G2-86 do not conclude that Ramona is a groundwater dependent area or that the area served by the Ramona Municipal Water District (MWD) would be overbuilt. In fact, the Ramona MWD is a SDCWA member water district and is not groundwater dependent, as described in Section 2.16.1.1, Potable Water Supply and Distribution. Additionally, DEIR Section 2.16.3.4, Issue 4: Adequate Water Supplies, notes that although the Ramona MWD along with the Otay, Padre Dam, and Helix Water Districts, would serve the greatest population and housing units under implementation of the General Plan Update, they generally would not experience substantial growth when compared to existing conditions (year 2004). No revisions were made to the DEIR in response to this comment.
- G2-87 This comment expresses support for the Environmentally Superior Alternative. This alternative, and all other proposed alternatives, will be considered by the County Board of Supervisors when making a final decision regarding project approval. This comment does not raise a significant environmental issue for which a response is required.
- G2-88 The County disagrees with this comment, which provides the commenter's opinion that inadequate planning has been done for the Ramona CPA and all impacts have not been fully analyzed or disclosed. The commenter does not provide any evidence to support this opinion or any examples of inadequacies. Refer to response to comment G2-86 regarding the commenter's previous comment regarding the Ramona CPA. As discussed in the response to this comment, the commenter's opinion that the Ramona CPA is proposed to be overbuilt is unfounded.
- G2-89 The County disagrees that the issues raised in the comment were not adequately analyzed in the DEIR. The issue of sewer capacity is discussed in DEIR Section



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**Responses to Letter G 2, Back Country Coalition (cont.)**

2.16.3.1, Issue 1: Wastewater Treatment Requirements. As discussed in this section, the existing service capacities and service areas for many wastewater districts are based on the existing General Plan land use designations. Implementation of the proposed General Plan Update would increase land use densities within wastewater district service areas in a manner that has not been currently planned for, particularly in the western portion of the unincorporated County where the majority of population growth would be distributed. This includes the Ramona Community Planning Area (CPA). Therefore, the DEIR concludes that development of the land uses proposed under the General Plan Update would exceed wastewater district capacities if proper planning does not occur for the updated land use plan in a timely manner. The DEIR determined that the General Plan Update would result in a potentially significant impact related to wastewater treatment requirements and specific implementation programs were identified as mitigation. Therefore, the DEIR adequately analyzes the issue of sewer capacity and identifies the proposed project's full impacts associated with this issue.

The issue of imported water supply is discussed in DEIR Section 2.16.3.4, Issue 4: Adequate Water Supplies. The DEIR determined that due to uncertainties surrounding the implementation of future water supply projects, water supplies to the Ramona Municipal Water District (RMWD) and the rest of the SDCWA member districts may be inadequate to serve the build-out of the proposed General Plan Update. Additionally, the Ballena Basin, which serves the Ramona CPA, is identified as having potentially inadequate groundwater water supplies to serve the build-out of the General Plan Update. Therefore, the DEIR adequately addresses the issue of water supply and identifies the proposed project's full impacts associated with this issue.

The issue of wastewater facilities is addressed in DEIR Section 2.16.3.5, Issue 5: Adequate Wastewater Facilities. As discussed in this section, the development of future land uses as designated in the proposed General Plan Update would result in increased demand on existing sewer systems due to increased sewage flows from residential, commercial and industrial land uses. The DEIR states that while some wastewater districts have capacity to serve additional wastewater users, others would have inadequate capacity to serve the increased demand in addition to their existing commitments. The DEIR determined that the proposed project would result in a potentially significant impact related to adequate wastewater facilities. Implementation of the General Plan Update policies and mitigation measures identified in DEIR Section 2.16.6.1, Issue 1: Wastewater Treatment Requirements would also mitigate impacts to wastewater facilities identified in Section 2.16.3.5, Issue 5: Adequate Wastewater Facilities, to a less than significant level. For example, General Plan Update policy LU-12.1 requires the provision of infrastructure, facilities, and services needed by new development prior to that development, either directly or through fees and mitigation measure USS-1.2 would implement and revise as necessary Board Policy I-84 to ensure adequate availability of sewer/sanitation service for development projects that require it. Therefore, the DEIR adequately analyzes and identifies the proposed project's full impacts associated with the provision of adequate wastewater facilities.

**Responses to Letter G 2, Back Country Coalition (cont.)**

The DEIR addresses impacts to groundwater basins that fall within the SDCWA boundaries. Unincorporated areas excluded from the General Plan Update Groundwater Study include the western region of the County within the SDCWA, as stated in Section 2.8.3.2, Issue 2: Groundwater Supplies and Recharge. However, SDCWA member districts that rely partially on groundwater are listed under the SDCWA Member District subheading in DEIR Section 2.16.1.1, Potable Water Supply and Distribution. These districts are Helix Water District, Lakeside Water District, Sweetwater Authority/South Bay Irrigation District, Vista Irrigation District, and Yuima Municipal Water District. Impacts to these member districts are analyzed in the DEIR in Section 2.16.3.4, Issue 4: Adequate Water Supplies under the SDCWA Member Districts subheading. Ramona MWD is not considered to be a district that significantly relies on groundwater since it only owns three wells, with a capacity of 330 gpm, that are not currently used due to nitrate contamination (RMWD 2005 Urban Water Management Plan). Table 6-2 of this document shows that Ramona's projected water supply from groundwater resources is zero through the 2030 planning horizon of the plan. It also states that the District also lacks the potential for sizeable groundwater storage. Therefore, the DEIR adequately analyzes and identifies the proposed project's full impacts associated with groundwater supply.

The County disagrees with the comment that the growth proposed for Ramona CPA has not taken into consideration the limitation of land, land committed to open space or park lands, and that the number of additional housing units should be reduced to 1,400. The County acknowledges that, under the proposed project, 6,208 future housing units are forecast for the Ramona CPA. However, the boundary for the Ramona CPA is not the same as the RMWD boundary. In addition, DEIR Table 2.16-1, SDCWA Member Water Districts - Existing and Future Housing and Population, has been revised to reflect that a total of 14,174 homes are forecast for the RMWD service area, rather than 27,273. This revision reflects that 5,837 additional homes are actually forecast for the service area, as compared to the 10,771 previously reported in the DEIR. The quoted discussion in this comment notes that the RMWD does not have the ability to accommodate more than 1,400 EDUs to support future development. While the County understands that the RMWD has the ultimate determination for whether or not sewer services can be provided, the County would like to work with the RMWD to explore opportunities to increase its capability for providing sewer services within its service area. See also responses to comments L3-2 and L3-13).

The issue of water infrastructure is addressed in DEIR Section 2.16.3.2, Issue 2: New Water and Wastewater Treatment Facilities. As discussed in this section, the development of future land uses, as designated in the proposed General Plan Update, would result in the construction of residential, commercial and industrial structures, which would result in an increased need for water services. In order to meet the increased demand, new and expanded water facilities would need to be constructed. Therefore, implementation of the General Plan Update would result in a potentially significant impact associated with new water and wastewater treatment facilities and General Plan Update policies and mitigation measures would be implemented to reduce impacts to a less than significant level, as discussed in

**Responses to Letter G 2, Back Country Coalition (cont.)**

Section 2.16.6.2, Issue 2: New Water and Wastewater Treatment Facilities. For example, General Plan Update Policy LU-1.4 would prohibit leapfrog development which is inconsistent with the community development model and community plans and mitigation measure USS-2.2 would require CEQA review for privately-initiated water and wastewater facilities and review and comment on water and wastewater projects undertaken by other public agencies to ensure that impacts are minimized and that projects are in conformance with County plans. Therefore, the DEIR adequately analyzes and identifies the proposed project's full impacts associated with water infrastructure.

- G2-90 The County appreciates this comment and agrees that additional clarification is needed in the impact analysis (DEIR Section 2.8.3.2). The following text has been added under subheading "50 Percent Reduction of Groundwater in Storage":

"However, it is important to understand that due to the sheer size and complexity of the 1,885 square mile study area, the long-term groundwater availability results (being based on a limited amount of readily available information) are subject to substantial error and uncertainty. Therefore, a conservative approach was mandatory in the study to bias any potential errors towards overestimation of potential impacts. It should further be understood, that due to the nature of fractured rock aquifers, impacts to these basins would likely be limited to localized areas of higher groundwater use and do not necessarily extend basin-wide into areas with adequately spaced groundwater users. As discussed below, large quantity/clustered groundwater users identified within these 11 basins are areas where localized groundwater impacts are most likely to occur. Site-specific groundwater investigations would be necessary for future groundwater-dependent projects in these potentially impacted basins to provide specific details of the significance of groundwater impacts that cannot be provided at the screening level scale in which the study was conducted."

This type of analysis is appropriate for a programmatic EIR. Impacts in this section are estimated prior to application of regulations, policies, and mitigation measures. See also response to comment G5-91.

- G2-91 This comment provides the commenter's opinion regarding a potentially significant impact to groundwater in storage identified in the DEIR. It does not address the adequacy or accuracy of the DEIR and does not raise a significant environmental issue for which a response is required.
- G2-92 This comment does not address the DEIR or General Plan Update or raise a significant environmental issue for which a response is required.
- G2-93 The County disagrees with this comment because it is speculative. As stated in Section 15121 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision makers and the public of the significant environmental impacts of a proposed project. The DEIR does not indicate specific future projects and permits that would or would not be approved by the Board of Supervisors. The purpose of the DEIR is to identify the potential environmental

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**Responses to Letter G 2, Back Country Coalition (cont.)**

impacts of build-out of the proposed General Plan Update. No further response is required.

- G2-94 The County disagrees with this comment. It is unclear what references to CEQA the commenter is referring to in the preceding paragraphs of the comment letter. These comments do not identify any conflict between CEQA and the DEIR. Additionally, as discussed in response to comment G2-65, the DEIR is an informational document which will inform public agency decision makers and the public of the significant environmental impacts of a proposed project. The DEIR does not implement any kind of planning. Additionally, CEQA does not propose or disfavor any specific kind of planning. As stated in Section 15002 of the CEQA Guidelines, the basic purposes of CEQA are to inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities, and to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible. No further response is required.
- G2-95 This comment expresses the commenter's opinion regarding the General Plan Update. The Board of Supervisors will consider the commenter's opinion when making a final decision regarding project approval. This comment does not raise a significant environmental issue for which a response is required.
- G2-96 The County disagrees with this comment because neither reason provided by the commenter disqualifies mitigation measure USS-4.1 as mitigation. Section 15126.4 of the CEQA Guidelines addresses mitigation measures and does not prohibit mitigation measures that are land use planning principles or that would be adopted with any alternative. This mitigation measure is fully enforceable and includes performance standards, consistent with Section 15126.4 of the CEQA Guidelines. As described in the discussion of adequate water supplies for the Hybrid Map Alternative (Section 4.2.2.16), Draft Land Use Map Alternative (Section 4.3.2.16), and the Environmentally Superior Map (Section 4.4.2.16), impacts associated with adequate water supplies under each alternative would be significant and require implementation of the mitigation measures identified for the proposed project. Therefore, this mitigation measure would be implemented if any of these project alternatives are adopted instead of the proposed project.
- G2-97 The County disagrees with this comment. The DEIR does not propose any population growth. It identifies the potential environmental impacts of the proposed General Plan Update, consistent with Section 15121 of the CEQA Guidelines. Additionally, mitigation measure USS-4.1 is necessary to reduce the significant impact identified in DEIR Section 2.16.3.4, Issue 4: Adequate Water Supplies. Therefore, this measure is not empty rhetoric. Refer also to response to comment G2-96 for a discussion of Section 15126.4 of the CEQA Guidelines pertaining to mitigation measures.
- G2-98 While the green building program is already in effect, its inclusion as a mitigation measure for the project will ensure that it becomes part of the Mitigation Monitoring and Reporting Program required under CEQA. Please also refer to response to

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- comment G2-96 for a discussion of Section 15126.4 of the CEQA Guidelines pertaining to mitigation measures.
- G2-99 Board policies I-84 and G-15 are already in effect. Their inclusion as mitigation measures for the project will ensure that they become part of the Mitigation Monitoring and Reporting Program required under CEQA. USS-4.3 is provided under Issue 4 of the Utilities and Service Systems section of the DEIR because it is meant to address the question of whether the project would exceed water supply, which refers to groundwater supply or imported water (see Determination of Significance in Section 2.16.3.4). Please also refer to response to comment G2-96 for a discussion of Section 15126.4 of the CEQA Guidelines pertaining to mitigation measures.
- G2-100 Please refer to responses to comments G2-96 through G2-99 above.
- G2-101 The County Guidelines for Determining Significance for Groundwater, Surface Water Quality and Hydrology have been utilized during discretionary project review since 2007. Use of these guidelines by the County has been voluntary. Inclusion of the guidelines as mitigation for the project will ensure that they become part of the Mitigation Monitoring and Reporting Program required under CEQA.
- G2-102 The County does not agree with this comment since it provides no evidence to support this statement. The proposed water credits program would include cooperation with agricultural and recreational users of water in Borrego Springs, as recommended.
- G2-103 This comment does not raise a significant environmental issue for which a response is required.
- G2-104 This comment summarizes the opinions expressed in comments G2-96 through G2-103. As discussed in the responses to these comments, these mitigation measures are fully enforceable and include performance standards, consistent with Section 15126.4 of the CEQA Guidelines. The suggestion that these mitigation measures represent sound planning techniques does not disqualify them as mitigation.
- G2-105 It is unclear what portion of the DEIR the commenter is referring to with this statement. DEIR Table 2.8-6 in Section 2.8, Hydrology and Water Quality, identifies Groundwater Basins Experiencing Significant Impacts in Storage. Utilities and Service Systems are addressed in DEIR Section 2.16. The commenter's statement appears to indicate that all the issues addressed in the Utilities and Service Systems DEIR section are significant and unavoidable; however, this is incorrect. Issues 1 (Wastewater Treatment Requirements), 2 (New Water and Wastewater Facilities), 3 (Sufficient Stormwater Drainage Facilities), 5 (Adequate Wastewater Facilities), 7 (Solid Waste Requirements), and 8 (Energy) would be less than significant with the implementation of General Plan Update policies and mitigation measures. Only Issues 4 (Adequate Water Supplies) and 6 (Sufficient Landfill Capacity) would result in significant and unavoidable impacts after mitigation.
- G2-106 The County disagrees with the comment because it is unreasonable to assume that no growth will occur in the unincorporated County, which is responsible for

**Responses to Letter G 2, Back Country Coalition (cont.)**

accommodating its fair share of regional growth. As discussed in the General Plan Update Land Use Element, the County is faced with both significant growth pressures and severe environmental constraints. While population continues to grow, the supply of land capable of supporting development continues to decrease. The County recognizes that water supply is a finite resource in the unincorporated County and planned for future growth accordingly. The General Plan proposes to distribute approximately 80 percent of the planned growth in the County within the SDCWA boundary. This strategy coincides with the provision of imported water in San Diego County's semi-arid environment, and reflects the development pattern of the County's largest unincorporated communities, which are located in the County's western areas where demand for new development has and will continue to be greatest. Therefore, the primary consideration for the County's strategy for growth is the availability of finite resources.

- G2-107 This comment does not raise a significant environmental issue for which a response is required.
- G2-108 The County disagrees with this comment, which is speculative and provides no evidence to support the statement. Moreover, the comment does not raise a significant environmental issue for which a response is required.
- G2-109 This comment summarizes information provided in the General Plan Update Groundwater Study and Section 2.8.6.2, Issue 2: Groundwater Supplies and Recharge. In addition to the reason stated in the comment, this mitigation measure was also found to be infeasible because it would impede the County's ability to implement the General Plan Update because it would prohibit future development in areas identified for increased growth in the General Plan Update. This comment does not raise a significant environmental issue for which a response is required.
- G2-110 The County disagrees with this comment. Refer to responses to comments G2-1 through G2-109. The commenter has not identified any inaccuracy, inadequacy, or area where the DEIR is incomplete. No further response is required.
- G2-111 The County agrees with the comment and has determined that the DEIR project description is consistent with the CEQA, CEQA Guidelines, and applicable case law.
- G2-112 The County disagrees with this comment which is speculative and provides an opinion of the commenter. As identified in the previous responses to comments regarding the Ramona Community Planning Area and other communities, the commenter has not identified any inaccuracy, inadequacy, or area where the DEIR is incomplete. Therefore, no revisions to the General Plan Update or DEIR are required in response to this comment.
- G2-113 The County disagrees with this comment which is non-specific and speculative and provides an opinion of the commenter. Consistent with the CEQA and CEQA Guidelines, the DEIR for the General Plan Update analyzes the impacts that the proposed project would have on the environment and identifies mitigation measures to reduce significant impacts, as feasible.



**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-114 The DEIR addresses groundwater dependent communities in Section 4.8, Hydrology and Water Quality. This comment does not raise a significant environmental issue for which a response is required.
- G2-115 This comment expresses support for the CSP. This comment does not raise a significant environmental issue for which a response is required.
- G2-116 This comment expresses support for the CSP. This comment does not raise a significant environmental issue for which a response is required.
- G2-117 The draft CSP is available on the County's General Plan Update website at <http://www.sdcountry.ca.gov/dplu/gpupdate/index.html>, along with the DEIR. It was also available for review during the DEIR public review period. Therefore, the commenter's request was already met. In addition, the CSP is noted in the DEIR as mitigation (see Aes-1.5, Agr-1.3, Bio-1.1, and Haz-4.4).
- G2-118 The County disagrees with the comment which is speculative in nature. Further, the program DEIR is not intended to be as specific as later project-specific EIRs. As discussed in DEIR Section 1.9, Purpose and Use of an EIR, while the Program EIR intends to identify potential impacts that would result from project implementation, the level of analysis is not detailed to the level of site specificity, nor is it intended to be accurate to this level of specificity. The Program EIR will identify a range of potential impacts resulting from future development allowed under the General Plan Update and will identify mitigation measures that future development may implement to reduce identified potentially significant effects. No further response is required.
- G2-119 This comment does not raise a significant environmental issue for which a response is required. For information regarding the adequacy of the DEIR project description under CEQA, refer to response to comment G2-111.
- G2-120 The County disagrees with this comment. As identified in Section 1.8, Other Project Components, the proposed project includes revisions to the Resource Protection Ordinance, Groundwater Ordinance, and Subdivision Ordinance, among others. As stated in this DEIR section, revisions to these ordinances were considered during preparation of the EIR impact analysis for the General Plan Update. The ordinance revisions were made available during the EIR public review period on the County's General Plan Update website at <http://www.sdcountry.ca.gov/dplu/gpupdate/index.html> along with the DEIR. As noted in the comment, these ordinance changes are included as mitigation for many subject areas. This is because, based on the County's analysis, the proposed amendments would lessen environmental impacts. The comment suggests that the ordinance revisions would result in significant impacts, but does not provide evidence or reasoning to support the claim.
- G2-121 The County disagrees with the comment. Refer to response to comment G2-120. The proposed revisions to ordinances referenced by the commenter were identified in Section 1.8 of the DEIR, made available for public review on the County's General Plan Update website at <http://www.sdcountry.ca.gov/dplu/gpupdate/index.html>, and their environmental impacts were considered in the DEIR. The complete

## Responses to Letter G 2, Back Country Coalition (cont.)

Conservation Subdivision Program, with proposed ordinance amendments, was also made available for public review at the same time the DEIR was circulated. It is still available at <http://www.sdcounty.ca.gov/dplu/gpupdate/conssub.html>.

- G2-122 This comment introduces the comments that are addressed in responses to comments G2-123 through G2-166. This comment does not raise a significant environmental issue for which a response is required.
- G2-123 The commenter is correct in the assessment that the design criteria listed in paragraph two under the draft CSP Component #1 Subdivision Ordinance Addition are required for all subdivisions on lands with densities that range from Semi-Rural 10 to Rural Lands 160.
- G2-124 This comment appears to mischaracterize the intent of the CSP, inferring that the Program would allow modified steep slope calculations and the construction of substandard roads. This is not the case. Subdivisions proposed under the CSP would, in limited situations, be allowed to encroach into steep slopes to avoid other environmental impacts as determined by site conditions. In addition, the CSP may allow reduced road widths under certain situations; however, it is not proposing construction of substandard roads. The benefits of the CSP would only be available to Conservation Subdivisions, not standard subdivisions.
- G2-125 This comment requests clarification on the CSP and does not pertain to the DEIR. The minimum lot size allowed by the CSP would vary by General Plan designation and community plan requirements.
- G2-126 This comment requests clarification on the CSP and does not pertain to the DEIR. The commenter inquires whether fuel modification areas are taken from open space or development percentages. As specified in Section 2.4.2, Locating Housing Sites, of the CSP draft Rural Design Guidelines, under item #2, the fuel modification areas are not allowed to extend into designated open space areas; see below:
- “Locate and design the development in a manner that maximizes defensibility from wildland fires and accommodates all necessary fuel modification on-site. Homes and other habitable structures require areas where the vegetation can be managed in a way to reduce the fire risk to the home. These areas are referred to as fuel modification zones. These areas typically extend 100 – 200 feet from the structure and are not allowed to extend into the designated open space areas.”
- G2-127 This comment requests clarification on the CSP and does not pertain to the DEIR. The CSP is proposed and has not yet been adopted by the Board of Supervisors and is presented in draft form. The maximum grade that would be allowed as an encroachment under the Resource Protection Ordinance (RPO) would be evaluated on a case-by-case basis according to site-specific issues.
- G2-128 This comment raises a question concerning exceptions for development projects submitted outside of the CSP. As discussed in response to comment G2-124 above. The benefits of the CSP would only be available to conservation subdivisions, not standard subdivisions.

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-129 This comment raises a specific question concerning exceptions for roads designed under the CSP. These roads would be subject to the General Plan Update goals and policies and the County Road Standards, including the process for allowing exceptions to the Standards.
- G2-130 This comment raised a specific question concerning the revision to County Public Road Standards, which are outside of the General Plan Update project; therefore, a response is not required.
- G2-131 This comment raises a question concerning roads designed under the CSP. The maximum road grade that would be allowed would be evaluated on a case-by-case basis according to site-specific issues.
- G2-132 Roads approved for conservation subdivisions would be subject to the General Plan Update goals and policies and the County Road Standards, including requirements for emergency vehicles access.
- G2-133 Please refer to response to comment G2-132 above.
- G2-134 Please refer to response to comment G2-132 above.
- G2-135 The revised County Public Road Standards are intended to implement the General Plan Update goals and policies; however, are not part of the General Plan Update project. Since the revised Standards are not part of the General Plan Update, they are on a different track. The draft Implementation Plan identifies other planned revisions to ordinances and regulations that will implement General Plan Update goals and policies. These as well are on a separate track from the General Plan Update and will go through a separate public planning process.
- G2-136 The General Plan Update proposed a CSP framework, along with associated changes to regulations that support this program. However, this comment raises a specific question which can only be answered for individual development projects. For more information regarding buffers, fencing and signage, see the County's Guidelines for Determining Significance and associated Report Format and Content Guidelines for Biological Resources, available at <http://www.sdcounty.ca.gov/dplu/procguid.html>.
- G2-137 Please refer to response to comment G2-136 above.
- G2-138 This comment raises concerns with regard to assurances for open space easements. When the County conditions a subdivision to include dedication of open space as an avoidance measure or mitigating measure, the condition becomes part of the Mitigating Monitoring and Reporting Program under CEQA. As such, the County as lead agency assures that it will meet success criteria. The entity that manages and/or provides stewardship of the open space may vary depending on project specifics. The County is responsible for ensuring that any appointed entities maintain the open space and achieve success criteria or performance standards.
- G2-139 Please refer to response to comment G2-138 above.

**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-140 The County acknowledges that conservancies typically require monetary endowments. Any entity that manages open space typically requires funding for the maintenance activities.
- G2-141 The County does not typically approve Homeowners Associations as open space managers. See also response to comment G2-138 above.
- G2-142 The County disagrees that the last sentence added to the Subdivision Ordinance in Section 81.401(p)(6)vi. implies that open space could be deemed a fire danger and set aside for future development. Fire authorities having jurisdiction over a property will be consulted prior to approval of a subdivision on the property. However, vacations of easements may be required in rare circumstances related to public health, safety or welfare. See Board Policy I-103 for details regarding when open space easements may be vacated. This policy is available at <http://www.sdcounty.ca.gov/cob/docs/policy/I-103.pdf>.
- G2-143 Please refer to response to comment G2-142 regarding vacations of open space easements.
- G2-144 The comment expresses concern for protection of resources if the open space is used for recreational purposes. The standard language for open space easements in the County prohibits this use within the easement. The County's Department of Planning and Land Use investigates reported violations of open space and levies penalties when violations are confirmed. If protected resources are damaged, the County may require restoration or mitigation.
- G2-145 Please refer to response to comment G2-144 above.
- G2-146 Please refer to response to comment G2-144 above.
- G2-147 Please refer to response to comment G2-144 above.
- G2-148 As proposed, the CSP provides for no exceptions to the percentages of conservation.
- G2-149 The County has not proposed exceptions to the CSP provisions. As such, any response to the comment would be speculative.
- G2-150 This comment raises a question with regard to outside interests involved in developing the CSP. The County worked with community planning groups, interest groups, and other stakeholders during the process of drafting the CSP. In addition, the Planning Commission formed a subcommittee and held a workshop to consider public input on the Program.
- G2-151 Refer to response to comment G2-150 above.
- G2-152 The County disagrees that the general public has not been involved in the development of the CSP. The program was developed with extensive input from two separate General Plan Update public advisory groups at meetings that have all been

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- open to the public. In addition, public input, such as from this comment letter, is being received as part of July-August 2009 public review period. Additional public input and review will be part of the Planning Commission and Board of Supervisors hearings.
- G2-153 As proposed, the CSP may be processed in all communities; however, the allowable minimum lot size may vary among communities. Ultimately, the Board of Supervisors will determine the final provisions of the Program.
- G2-154 As proposed, the CSP will be a mitigation measure of the project and will become part of the Mitigation Monitoring and Reporting Program and adopted by ordinance. Any future changes to the Program would require environmental review and a public hearing process.
- G2-155 The comment raises a hypothetical question about future discretionary projects. Such determinations would depend on many factors and any response to this comment would be speculative. However, it should be noted that, as proposed, conservation subdivisions would be allowed County-wide and would be treated the same way that all discretionary projects are treated. While planning and sponsor group comments and concerns are considered during the review of discretionary projects, County staff processes projects and makes recommendations to decision makers based on conformance with all applicable policies and regulations.
- G2-156 The answer to the question in this comment is “no.” As proposed in the CSP, additional slope encroachment would only be granted for a Conservation Subdivision that sufficiently conserves sensitive lands.
- G2-157 The amount of land to be conserved under a conservation subdivision would depend on many factors. Please review the County’s Guidelines for Determining Significance and associated Report Format and Content Guidelines for Biological Resources for an overview of how project design and open space design are determined. See also response to comment G2-136 above.
- G2-158 Useable open space is defined in the Zoning Ordinance. Group useable open space is a common area within a development as opposed to private useable open space. For Planned Residential Developments (PRD), the Zoning Ordinance describes private useable open space requirements as well as group useable open space requirements in Section 6648. Detailed descriptions of these two types are further provided in Section 4900 of the Zoning Ordinance. Pages 21-22 of the draft CSP show the proposed changes to PRD provisions within the Zoning Ordinance. The table in the draft CSP that shows the “Useable Open Space per Lot” may constitute either private or group useable area with the proposed revisions.
- G2-159 The comment raises a hypothetical question about future discretionary projects. Such determinations would depend on many factors and any response to this comment would be speculative. See also response to comment G2-136 above. However, it should be noted that the County does not allow dedication of open space over an access road; yet a well and/or a footpath may be included within an area of open space.

**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-160 This comment implies there are inconsistencies between the proposed CSP and the proposed changes to ordinances to implement the program; however, the comment does not point out any specific inconsistencies. The County is unable to respond with knowing the specific inconsistencies.
- G2-161 The comment lacks sufficient detail to which a more thorough response can be provided.
- G2-162 The County disagrees with the statement that roadways do not result in the destruction of environmental resources. The construction of roads often requires the direct disturbance or removal of environmental resources in the footprint of the roadway, such as biological and cultural resources. However, the DEIR does recognize that it is future development that would require these roadways to be constructed. For example, the Impact Analysis discussion in Section 2.4.3.1, Issue 1: Special Status Plant and Wildlife Species, states that development of land uses consistent with the proposed General Plan Update, and construction of new infrastructure to support these land uses, have the potential to directly or indirectly impact habitats of candidate, sensitive, or special status species. Therefore, the DEIR recognizes that it is future development that would require new infrastructure, such as roads, to be developed. Therefore, the commenter's statement has already been incorporated and addressed in the DEIR.
- G2-163 The County disagrees with the comment. The County is proposing a substantial decrease to overall density when compared to the existing General Plan. Please also refer to responses to comments G2-2 through G2-24 regarding the population forecast for the unincorporated County. The DEIR identifies that planned future population growth would have the potential to impact resources, but does not state that substandard roads are proposed to protect resources or promote sustainable growth. It is unclear what the commenter is referring to by this comment. DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, states that environmental constraints may be considered a condition under which a road may be exempted from County LOS standards. As discussed in response to comment G2-162, the construction of roadways would have the potential to result in direct physical environmental impacts. As stated in DEIR Section 2.15.6.1, the proposed General Plan Update policies seek to minimize environmental impacts and minimize road construction costs. Therefore, while substandard roads are not proposed to protect resources or promote sustainable growth, as the commenter implies, future road improvements may not be implemented due to environmental constraints.
- G2-164 This comment provides an opinion of the commenter as to why the revisions to the County Public Road Standards are not included for public review with the General Plan Update. This is not the case, as explained in response to comment G2-135 above.
- G2-165 The County disagrees with the comment. The discussion in DEIR Section 3.1.3.2 does not state or imply that new growth would be accommodated in areas with inadequate infrastructure, or that subdivisions that would endanger public safety would be approved. The discussion does determine that the regulatory changes that



**Responses to Letter G 2, Back Country Coalition (cont.)**

- are part of the General Plan Update would result in the removal of obstacles to growth; however, the section concludes that this growth would be consistent with the General Plan Update and would not be unplanned growth. Therefore, the quoted discussion from the DEIR does not support the commenter's opinions identified in comments G2-162, G2-163 and G2-164.
- G2-166 This comment provides an opinion of the commenter and does not raise a significant environmental issue for which a response is required.
- G2-167 The County agrees that the use of the term "Chapter" in the RPO does not make any difference in the implementation of the ordinance. The RPO is a chapter within the County Code and is therefore referred to in this manner.
- G2-168 This comment introduces the comments that are addressed in responses G2-169 through G2-181 and does not raise a significant environmental issue for which a response is required.
- G2-169 The County disagrees with the comment. Section 2.9.1 of the General Plan Update Groundwater Study identifies groundwater problem areas under existing conditions related to large quantity/ clustered groundwater users. No significance determination is identified in this section of the study. The comment also refers to past land use decisions made by the County. As stated in CEQA Guidelines Section 15121, an EIR is an informational document which will inform public agency decision makers and the public of the significant environmental impacts of a proposed project. The General Plan Update DEIR identifies the environmental impacts of the proposed project, not past land use decisions. Therefore, this comment does not raise a significant environmental issue for which a response is required.
- G2-170 The County disagrees with the comment. The General Plan Update Groundwater Study identifies that generally susceptible areas that could be impacted by the combined drawdown of existing well(s) include clustered residences on lots smaller than 4 acres, irrigated agricultural lands, and other known large groundwater users. It does not make a broad determination that any clustered development in the County would be risky.
- G2-171 The cited section of the Groundwater Study was intended to emphasize that large areas of land may be needed for development in the affected areas to conserve groundwater. It does not preclude conservation subdivisions, which would still preserve large areas in open space and consolidate development footprint.
- G2-172 This comment does not raise a significant environmental issue for which a response is required.
- G2-173 The County disagrees with the comment. The General Plan Update Groundwater Study and the DEIR do not lack the identification of a long-term groundwater supply. The DEIR addresses the issue of groundwater supply, provides an analysis of county-wide groundwater supplies, impacts from the project, and identifies numerous General Plan Update policies and mitigation measures to reduce impacts to the extent feasible. As stated in Section 2.16.6.4, Issue 4: Adequate Water Supplies,

## Responses to Letter G 2, Back Country Coalition (cont.)

- General Plan Update policies LU-8.1, LU-8.2, LU-13.1, and LU-13.2 and mitigation measures USS-4.1, USS-4.2, USS-4.3, USS-4.4, USS-4.5, USS-4.6, and USS-4.7 would reduce impacts associated with groundwater supply to the extent feasible. Therefore, the DEIR adequately discloses the potential impacts to groundwater. Refer to DEIR Section 4.0, Project Alternatives, for alternatives to the General Plan Update that would result in a reduced impact to groundwater supplies compared to the proposed project.
- G2-174 This comment provides excerpts from the DEIR. It does not raise a significant environmental issue for which a response is required.
- G2-175 The County disagrees with the comment, which provides an excerpt from the Groundwater Quality discussion in Section 2.8.3.1, Issue 1: Water Quality Standards and Requirements, and then implies that other contaminants should be added to the conclusion in this sentence. The discussion in this section pertains only to nitrates and their effects on groundwater quality. Other groundwater contaminants are addressed in the Groundwater Quality analysis under the subheading Other Constituents of Concern. Therefore, no revision to the DEIR was made in response to this comment.
- G2-176 The County disagrees that “the extent of those underground fractured rock well issues are impossible to ascertain.” The County does agree that all of the complexities of the underground fractured rock system are impossible to ascertain. However, it is possible to ascertain hydraulic characteristics of geological formations (including fractured rock aquifers) through analyzing and evaluating pumping test data. By having an understanding of the hydraulic characteristics of a given well or wells, reasonable estimates of well drawdown and potential well interference can be made. For the County discretionary permit process, projects are required to evaluate well interference for wells in fractured rock basins through a threshold contained within the County of San Diego Guidelines for Determining Significance – Groundwater Resources (Page 25).
- G2-177 The County agrees with the commenter that groundwater would have the potential to be impacted by septic systems and that septic systems in Valley Center would have potential groundwater issues. The DEIR acknowledges that septic systems would have the potential to impact groundwater quality in the Groundwater Quality discussion in Section 2.8.3.1, Issue 1: Water Quality Standards and Requirements. As stated in this section, the land uses proposed under the General Plan Update would allow for the development of septic systems, which are associated with nitrates and total dissolved solids contamination. Additionally, in Section 2.6.3.5, Issue 5: Waste Water Disposal Systems, the DEIR acknowledges that areas of Valley Center have experienced a building moratorium due to the high groundwater levels which causes failing septic systems.
- However, the County disagrees with the statement that the CSP would exacerbate this problem. As stated in Section 2.6.3.5, the General Plan Update generally proposes semi-rural and rural land uses with potential lot sizes large enough to support on-site wastewater treatment systems (OWTS); however, project-specific analyses would be required for all future development to determine the capability of a

**Responses to Letter G 2, Back Country Coalition (cont.)**

- site to support an OWTS. Project specific analyses would be required for future developments that would rely on OWTS in order to determine if the site is capable of supporting an OWTS. The project would be required to comply with the RWQCB's applicable standards and obtain a permit from the County Department of Environmental Health. The distance between the bottom of the OWTS leach field and groundwater is a factor in determining whether a permit may be granted. Therefore, whether or not the CSP applies to a project, future development requiring a septic system would be required to comply with applicable regulations that do not permit septic systems in areas where groundwater is too high.
- G2-178 The County agrees that the General Plan Update Groundwater Study indicates that the build-out development of future land uses as designated in the proposed General Plan Update would not be supported by adequate groundwater due to some wells having low-well yield in portions of Lakeside, Ramona, and Morena Village and areas with steep slopes. Therefore, this would be considered a significant impact. This conclusion is stated in DEIR Section 2.8.3.2, Issue 2: Groundwater Supplies and Recharge. Please refer to responses to comments G2-2 through G2-24 regarding the population forecast for the unincorporated County. Refer also to Section 4.0, Project Alternatives, for the discussion of alternatives to the proposed General Plan Update that would result in reduced impacts to groundwater supplies and recharge.
- G2-179 The County does not agree with this comment. The mitigation measure has been found to be infeasible consistent with CEQA Guidelines Section 15126.4 regarding consideration and discussion of mitigation measures and Section 15091(a)(3) regarding findings for mitigation measures. Additionally, this comment incorrectly interprets regional population growth planning. Please refer to response to comment G2-67 for a discussion of the potential consequences that would occur if the County fails to accommodate a reasonable share of regional growth. The accommodation of growth forecasted in the unincorporated County represents coordinated regional planning. As stated in the SANDAG Regional Comprehensive Plan for San Diego County (2004), the land use plans adopted by the jurisdictions in the region influence development and conservation patterns in the region, and the currently adopted land use plans of the 19 local jurisdictions, including the County, do not accommodate the amount of growth anticipated in the region. If the General Plan Update would not accommodate the population forecasted for the region, it would result in a potentially significant regional population and housing impact by inducing substantial population growth outside the County's jurisdiction. Therefore, no revisions to the DEIR are required in response to this comment.
- G2-180 The County disagrees with this comment. As discussed in responses to comments G2-67 and G2-179, the County is obligated to accommodate its fair share of regional growth. The County recognizes that environmental constraints, such as groundwater, exist; therefore, the majority of new development, approximately 80 percent, is planned within the SDCWA boundary in the General Plan Update Land Use Element. This strategy coincides with the provision of imported water in San Diego County's semi-arid environment. The General Plan Update would minimize impacts to groundwater supply; however, significant and unavoidable impacts to groundwater supply would still occur, as disclosed in DEIR Section 2.8.3.2, Issue 2:

## Responses to Letter G 2, Back Country Coalition (cont.)

- Groundwater Supplies and Recharge. Mitigation measures to reduce this impact to the extent feasible are proposed in Section 2.8.6.3 of the DEIR, Issue 2: Groundwater Supplies and Recharge. Therefore, the DEIR fully discloses the proposed project's impacts to groundwater and the commenter's opinion that the County displays a disregard for public well being is unfounded. Additionally, the commenter provides no evidence to support the opinion that groundwater issues would be amplified with implementation of the CSP. Land uses under the CSP would be consistent with the General Plan Update. Impacts of build-out of the General Plan Update are identified in the DEIR. Therefore, implementation of the CSP would not result in amplified impacts not identified in the DEIR.
- G2-181 The County disagrees with this statement. Refer to response to comment G2-182. The General Plan Update would accommodate the majority of its fair share of regional growth outside of groundwater dependent areas and proposes mitigation to reduce impacts associated with groundwater supply to the extent feasible.
- G2-182 This comment introduces comments G2-183 through G2-192. No further response is required.
- G2-183 This comment provides an excerpt from DEIR Section 2.8.3.2, Issue 2: Groundwater Supplies and Recharge. This comment does not raise a significant environmental issue for which a response is required.
- G2-184 The County disagrees with this comment. Refer to the responses to comments G2-43, G2-61, G2-117, G2-120, G2-124, G2-169, G2-170, G2-177, and G2-180 regarding steep slopes and clustered groundwater usage related to the CSP. None of these previous comments support the opinion that the County has degraded the RPO steep slope calculations and road standards to benefit excessive growth in the backcountry, regardless of hazards. In fact, the responses to these comments state that the exemptions to the steep slope regulations in the RPO would be required to be consistent with public safety considerations and be accessible to emergency vehicles. Additionally, the DEIR did not determine clustered development to be "risky," as the commenter implies. Please refer to responses to comments G2-2 through G2-24, G2-67 and G2-179 regarding the population forecast for the unincorporated County. The County is obligated to accommodate its fair share of regional growth. Approximately 80 percent of future growth in the County would be located in more urbanized areas (not in the backcountry) due to known environmental constraints. Therefore, the County does not propose excessive growth in the backcountry.
- G2-185 The County agrees that the commenter's letter will become part of the administrative record for the DEIR. Please refer to responses to comments G2-2 through G2-24, G2-67 and G2-179 regarding the population growth forecast for the County. This comment does not raise a significant environmental issue for which a response is required.
- G2-186 The County disagrees with the commenter that the Regional Transportation Plan (RTP), titled Mobility 2030: The Transportation Plan for the San Diego Region, is based in part on population growth estimates provided by the County. As discussed

## Responses to Letter G 2, Back Country Coalition (cont.)

in Technical Appendix 2 to the RTP, Regional Population Growth Forecasts, the population projection in the RTP is based on data from the 2000 Census, fertility rates, and interregional commuting<sup>3</sup>.

The County also disagrees with the commenter's assertion that the County is not required to comply with the RTP. SANDAG provides a forum for coordinated planning on regional issues, including transportation. The RTP is San Diego's regional blueprint to address the mobility challenges created by the region's growth. As stated in the RTP, the RTP is a collaboration among SANDAG, all 18 Cities and the County government, and SANDAG's transportation partners, San Diego Metropolitan Transit Development Board, North San Diego County Transit District, and California Department of Transportation, along with a wide range of interest groups and other agencies. The County, along with all 18 incorporated cities, is required to be consistent with the RTP in order for the region to achieve the goals of the RTP.

The County also disagrees that the population growth estimate used in the RTP is used in the environmental analysis of the DEIR. As stated in DEIR Section 1.13.2, Differences with SANDAG Population Model Forecast, the DEIR utilizes the 2008 SANDAG population forecast. Refer to response to comments G2-67 and G2-179 regarding the County's obligation to accommodate its regional share of population growth.

- G2-187 The County disagrees with this comment that the result of the RTP area is biased toward the County. Refer to response G2-186. The RTP population forecast is not based on information provided by the County; therefore, the commenter's opinion is unfounded.
  
- G2-188 This comment introduces comments G2-189 through G2-192 and does not raise a significant environmental issue for which a response is required.
  
- G2-189 The County disagrees with this comment. The statement provided in the comment does not relieve the County of any responsibility for planning for local public and fire access roads. The General Plan Update provides a framework for land use and development decisions on a County-wide level. Community and subregional plans provide a framework for addressing the critical issues and concerns that are unique to a community and are not reflected in the broader policies of the Land Use Element of the General Plan. Therefore, it is appropriate for community plans to consider local public and fire access roads for their respective community rather than the elements of the General Plan Update. The County is responsible for the preparation and approval of community plans, which are part of the General Plan. Therefore, the County is not relieved of the responsibility for planning for local public and fire access roads.

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<sup>3</sup> San Diego Association of Governments. *Mobility 2030: The Transportation Plan for the San Diego Region*. April 2003. Online URL:  
<http://www.sandag.org/index.asp?projectid=197&fuseaction=projects.detail>

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**Responses to Letter G 2, Back Country Coalition (cont.)**

- G2-190 The County does not agree with this comment. The DEIR quote referenced in the comment pertains to existing conditions which would continue to occur with implementation of the General Plan Update. Any new roadways or improvements to existing roadways occurring under the General Plan Update would not be approved if they would impair emergency access. Due to the persistence of these existing conditions, the DEIR identifies that the project would result in a potentially significant impact and mitigation is proposed.
- G2-191 The County disagrees with this comment, which summarizes information provided in the DEIR, rather than demonstrates its inadequacy. The commenter appears to assert, based on the emphasis added to the quotes provided in this comment from the Impact Analysis in DEIR Section 2.15.3.4, Issue 4: Emergency Access, that if an impact is determined to be potentially significant, it is inadequate. The identification of significant impacts that would have the potential to result from implementation of the proposed project, and mitigation measures to reduce those impacts, is consistent with Sections 15126.2 and 15126.4 of the CEQA Guidelines. Identification of a potentially significant impact does not make a DEIR inadequate; rather, it is a requirement of CEQA. In the case of emergency access impacts, mitigation measures are provided in DEIR Section 2.15.6.4 which reduce the potential impacts to below a level of significance.
- G2-192 The County disagrees with the comment that the DEIR should be reissued. As discussed in response to comments G2-1 through G2-191, the Back Country Coalition comments do not demonstrate any inadequacies in the DEIR. The environmental impacts of the proposed CSP, revised County ordinances, and project mitigation measures have been adequately addressed in the DEIR, as described in response to comment G2-120. Consistent with CEQA Guidelines Section 15064(f), the impact analyses and conclusions provided in the DEIR are supported by substantial evidence. Please also refer to response to comment G2-18 regarding the definition and application of substantial evidence in the DEIR. No revisions to the DEIR were required in response to this comment.
- G2-193 This comment describes the commenter's involvement in the General Plan Update process and does not raise a significant environmental issue for which a response is required.
- G2-194 This comment expresses that the commenter no longer supports the Draft Land Use Map Alternative. The statement that a consensus within the Interest Group was made for the Draft Land Use Map is not found in the DEIR nor the General Plan Update planning documents. Ultimately, the Board of Supervisors must determine which Land Use Map will be adopted. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.
- G2-195 The County disagrees that the General Plan Update is inadequate or inaccurate. The commenter refers to "various sections" of the comment letter to support this statement, but no specific comment or topic is identified. None of the comments provided in the Back Country Coalition (BCC) letter have demonstrated any inadequacies in the DEIR. Therefore, no revisions to the DEIR have been made



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**Responses to Letter G 2, Back Country Coalition (cont.)**

- based on this comment. Please refer to responses to comment G2-1 through G2-194 for the County's responses to the BCC's comments.
- G2-196 This comment expresses the commenter's preference for the Environmentally Superior Alternative. This project alternative, and all other proposed alternatives, will be considered by the County Board of Supervisors when making a final decision regarding project approval. The commenter does not provide any specific example of what the commenter feels is an "adequate standard" or any evidence to support the opinion that population growth would be too great in areas with limited infrastructure. Please refer to responses to comments G2-47, G2-52, G2-80, G2-82, G2-86, G2-88, G2-89, G2-112, and G2-178 for discussion regarding the community of Ramona.
- G2-197 This comment does not raise a significant environmental issue for which a response is required. The commenter's opinion will be taken into consideration by the Board of Supervisors when making a final decision regarding project approval.
- G2-198 The County disagrees with the statement that the population growth estimate in the DEIR is inadequate and inaccurate. Please refer to responses to comments G2-2 through G2-24 regarding the population forecast for the unincorporated County used in the DEIR. No revisions to the DEIR were required in response to these comments. Therefore, the comparison of the Environmentally Superior Alternative to the proposed project is accurate. However, the commenter's preference for the Environmentally Superior Alternative has been noted.
- G2-199 The County does not agree with this comment. Please refer to responses to comments G2-2 through G2-24 for a detailed response to the commenter's claim that the population forecast is arbitrary. As discussed in these responses, the population forecast data provided in the DEIR is complete and accurate. Additionally, the purpose of the DEIR is not to "create" population numbers, but to analyze the potential environmental impacts of growth accommodated by the land uses proposed in the General Plan Update. No revisions to the DEIR are required as a result of this comment.
- G2-200 The County disagrees with this comment, which summarizes the comments that are addressed in responses to comments G2-67 through G2-114. Refer to the responses to these comments regarding the General Plan Update and water supply.
- G2-201 This comment does not raise a significant environmental issue for which a response is required.
- G2-202 The County disagrees with this comment, which summarizes the comments that are addressed in responses to comments G2-47 through G2-66. Refer to the responses to these comments regarding the General Plan Update and traffic LOS.
- G2-203 This comment does not raise a significant environmental issue for which a response is required. The County will notify the commenter regarding all documents and hearings related to the proposed project.

## Comment Letter G 3, Building Industry Association (BIA)

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Re: County of San Diego Draft Environmental Impact Report

Dear Mr. Muto:

G3-1.

The Building Industry Association of San Diego and the Alliance for Habitat Conservation have reviewed the County's Draft General Plan Environmental Impact Report (DEIR) and have the following comments and concerns.

### **Summary of Project**

G3-2.

The Project proposes to downzone vast portions of the unincorporated area, primarily in the eastern part of the County, and increase densities in certain areas in the western portion of the unincorporated area, ultimately planning to accommodate 678,270 people in the year 2030. In contrast, the existing General Plan accommodates a forecast of 768,000 people in 2030. The General Plan Update would accommodate 235,861 housing units in 2030, a decrease from the 279,304 housing units that the existing General Plan would accommodate in that same timeframe. The regional agency tasked with responsibility for regional planning, the San Diego Association of Governments (SANDAG), forecasts are that there will be 723,392 people in the unincorporated area of the County by 2030. According to the Draft Environmental Impact Report (DEIR), the lower General Plan Update population and housing unit forecasts are based not on evidence that fewer people will move into the unincorporated area or that fewer people will be born that are forecast by SANDAG; rather, that the County has determined that certain infrastructure and environmental constraints preclude the County from accommodating more people or housing units. The County's conclusion that environmental and infrastructure constraints will preclude it from accommodating the additional population is incorrect and not supported by sufficient evidence.

G3-3.

The Project proposes to downzone vast portions of the unincorporated area, primarily in the eastern part of the County, and increase densities in certain areas in the western portion of the unincorporated area, ultimately planning to accommodate 678,270 people in the year 2030. In contrast, the existing General Plan accommodates a forecast of 768,000 people in 2030. The General Plan Update would accommodate 235,861 housing units in 2030, a decrease from the 279,304 housing units that the existing General Plan would accommodate in that same timeframe. The regional agency tasked with responsibility for regional planning, the San Diego Association of Governments (SANDAG), forecasts are that there will be 723,392 people in the unincorporated area of the County by 2030. According to the Draft Environmental Impact Report (DEIR), the lower General Plan Update population and housing unit forecasts are based not on evidence that fewer people will move into the unincorporated area or that fewer people will be born that are forecast by SANDAG; rather, that the County has determined that certain infrastructure and environmental constraints preclude the County from accommodating more people or housing units. The County's conclusion that environmental and infrastructure constraints will preclude it from accommodating the additional population is incorrect and not supported by sufficient evidence.

G3-4.

The Project proposes to downzone vast portions of the unincorporated area, primarily in the eastern part of the County, and increase densities in certain areas in the western portion of the unincorporated area, ultimately planning to accommodate 678,270 people in the year 2030. In contrast, the existing General Plan accommodates a forecast of 768,000 people in 2030. The General Plan Update would accommodate 235,861 housing units in 2030, a decrease from the 279,304 housing units that the existing General Plan would accommodate in that same timeframe. The regional agency tasked with responsibility for regional planning, the San Diego Association of Governments (SANDAG), forecasts are that there will be 723,392 people in the unincorporated area of the County by 2030. According to the Draft Environmental Impact Report (DEIR), the lower General Plan Update population and housing unit forecasts are based not on evidence that fewer people will move into the unincorporated area or that fewer people will be born that are forecast by SANDAG; rather, that the County has determined that certain infrastructure and environmental constraints preclude the County from accommodating more people or housing units. The County's conclusion that environmental and infrastructure constraints will preclude it from accommodating the additional population is incorrect and not supported by sufficient evidence.

G3-5.

The Project proposes to downzone vast portions of the unincorporated area, primarily in the eastern part of the County, and increase densities in certain areas in the western portion of the unincorporated area, ultimately planning to accommodate 678,270 people in the year 2030. In contrast, the existing General Plan accommodates a forecast of 768,000 people in 2030. The General Plan Update would accommodate 235,861 housing units in 2030, a decrease from the 279,304 housing units that the existing General Plan would accommodate in that same timeframe. The regional agency tasked with responsibility for regional planning, the San Diego Association of Governments (SANDAG), forecasts are that there will be 723,392 people in the unincorporated area of the County by 2030. According to the Draft Environmental Impact Report (DEIR), the lower General Plan Update population and housing unit forecasts are based not on evidence that fewer people will move into the unincorporated area or that fewer people will be born that are forecast by SANDAG; rather, that the County has determined that certain infrastructure and environmental constraints preclude the County from accommodating more people or housing units. The County's conclusion that environmental and infrastructure constraints will preclude it from accommodating the additional population is incorrect and not supported by sufficient evidence.

G3-6.

The Project proposes to downzone vast portions of the unincorporated area, primarily in the eastern part of the County, and increase densities in certain areas in the western portion of the unincorporated area, ultimately planning to accommodate 678,270 people in the year 2030. In contrast, the existing General Plan accommodates a forecast of 768,000 people in 2030. The General Plan Update would accommodate 235,861 housing units in 2030, a decrease from the 279,304 housing units that the existing General Plan would accommodate in that same timeframe. The regional agency tasked with responsibility for regional planning, the San Diego Association of Governments (SANDAG), forecasts are that there will be 723,392 people in the unincorporated area of the County by 2030. According to the Draft Environmental Impact Report (DEIR), the lower General Plan Update population and housing unit forecasts are based not on evidence that fewer people will move into the unincorporated area or that fewer people will be born that are forecast by SANDAG; rather, that the County has determined that certain infrastructure and environmental constraints preclude the County from accommodating more people or housing units. The County's conclusion that environmental and infrastructure constraints will preclude it from accommodating the additional population is incorrect and not supported by sufficient evidence.

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 2

### Population and Housing Unit Assumptions

- G3-7. There is a discrepancy between the County's population forecast of 678,270 people and the population forecast from SANDAG of 768,000 people. The County's population forecast is based on the assumption that environmental and infrastructure constraints will limit population growth in the unincorporated area to the lower number. *However, it is not environmental and infrastructure constraints that preclude the County from planning for SANDAG's higher population number, it is in fact the County's existing and proposed land use and policy constraints that limit the provision and expansion of infrastructure and the provision of higher density housing to meet this number.*
- G3-8.
- G3-9.
- G3-10. The environmental impacts of the proposed Project should essentially be a function of two fundamental planning principles: the footprint of new development, which governs impacts to biology, cultural resources, agriculture, soils, etc., and the relationship between jobs and housing in each community, which governs impacts to traffic, land use, air quality, and climate change. These two major elements of a General Plan will govern the nature of the most significant impacts. Planning for higher density development on smaller development footprints will reduce impacts to natural resources. Planning for a jobs/housing balance within communities and in connection with incorporated areas and other job centers like Tribal Lands will reduce impacts to traffic, air quality, land use, and climate change. *If these planning principles are implemented correctly, there is not a one to one relationship between impacts and population growth, and therefore there is no predetermined limit on to what extent the County can implement these principles. Thus, the assumption that environmental and infrastructure constraints are precluding the County from achieving the higher population target is incorrect.*
- G3-11.
- G3-12.
- G3-13.
- G3-14. This issue is further complicated by the fact that SB 375 requires that SANDAG not house the forecasted population by assuming some percentage will live in surrounding counties. It is far from clear that the Project is planning for sufficient densities to accommodate anticipated growth, especially given the many obstacles presented in the Project's policies and existing regulations that make it impossible to achieve the maximum densities allowed. Only a small amount of acreage in the entire County is designated for high-density village and in these locations, it is probable that the allowed density will not be achieved given the emphasis on only allowing development consistent with "community character" or when allowed by the Community Plan and the obstacles presented by compliance with the vague General Plan policies.
- G3-15.
- G3-16.
- G3-17. For example, Policy LU-1.6 referenced in the DEIR on page 2.1-48 states that expansion of village density areas will be allowed only where it is consistent with community character – thus the reader of the DEIR cannot discern whether or not the Project will allow for village densities and accommodate the necessary population forecast.

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 3

- G3-18. SB 375 requires that the County designate and zone enough land to accommodate all income levels. The Housing Element Background Report identifies parcels in each community plan area that could accommodate housing at varying densities which could provide housing for lower income groups, but that information should be brought forward to the DEIR and a discussion of when the necessary rezoning will be done should be added.
- G3-19. Although the County states that it developed its own statistics to be more accurate for the unincorporated area, it is the SANDAG growth projections that are used to prepare the Regional Housing Needs Assessment (RHNA), which is the planning tool which allocates housing by income group to all areas of the County. Section 2.12.3.2 of the DEIR states that the Project will allow housing that exceeds the RHNA allocation of 12,368 homes. However, this section does not explain that the RHNA allocation only goes through 2010, nor that SANDAG is currently working on the next projection of housing need that will go through 2050. Please add this critical information to the DEIR so the reader is fully informed.
- G3-20.
- G3-21. It is important to recognize that the RHNA numbers are based on the SANDAG population forecast model which predicts a 2020 population of 768,000 for the unincorporated area. However, the County is using a population target of 678,000. *Consequently, a conflict will eventually arise between the County's General Plan housing capacity and the capacity needed to accommodate the RHNA population forecast. This conflict will lead to impacts that have not been anticipated by the DEIR.*
- G3-22.
- G3-23. The number of homes actually needed beyond the current RHNA could be increased by thousands of units over what is anticipated in the General Plan Update. The DEIR should explain how and when the County will update its growth projections and how the necessary additional housing will be allocated among the County's various planning areas.
- G3-24.
- G3-25. Section 2.9.3.2 concludes that the General Plan Update is compatible with the RCP; however, the RCP states that, "If we continue to build homes at a slower pace than we add people, interregional commuting will increase. Over the 30-year period, it is estimated that 93,000 households would, in effect, be "exported" to Riverside County, Baja California, or even Imperial County unless there are significant changes to today's land use plans. Long-distance commuting, both interregional and from within the region, puts a tremendous strain on our roads, freeways, infrastructure, and personal lives. While some amount of interregional commuting will always occur, providing additional housing capacity in key locations within the more urbanized areas of the region could assist in reducing the projected increases in interregional commuting and provide more housing and transportation choices to our residents."
- G3-26. The Project reduces the number of homes over that in the existing General Plan, plans for congestion on many major roads and allows for those road segments to fail, and focusing on maintaining community character to the detriment of accommodating housing. *Frankly, in the*

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 4

G3-27. *face of this existing problem of interregional commuting and the existing regional housing shortage which are predicted to increase without the provision of additional housing capacity in the region, it is simply inconceivable how reducing housing capacity as the County's General Plan Update proposed to do could be found to be consistent with SB375 and AB32.*

G3-28. In summary, the DEIR's conclusion that the Project will accommodate a reasonable share of the projected population growth is not well-supported; in part because it overlooks the reasonably foreseeable obstacles that will preclude the very densities being assumed from being actually developed. For example, it is almost certain that the community groups will assert that denser

G3-29. development in their community is not in keeping with the "community character" and therefore should be denied. In fact, Valley Center Community Planning Group already is seeking removal of the higher density designations proposed in their community, and other groups will have the same concerns. The county has not studied each parcel for development capacity, but where a parcel-by-parcel analysis has been done it found that only approximately

G3-30. 30% of the capacity of the property actually was developed. This evidences that the theoretical development envisioned by the General Plan Update simply will not materialize, and only a small percentage of the density actually would be built.

G3-31. Moreover, there is absolutely no support for a conclusion that the Project or its alternatives support the local economy or economic vitality; in fact, the County staff has stated that if economics were to be a consideration then the entire plan would have to be redone.

### Project Description

**Page 1-14, Section 1.8.1 Community Plan Updates** *"Under the proposed project, existing community plans would be updated for consistency with the General Plan Update elements by removing outdated policies, goals, conditions, and any information that is inconsistent with the updated General Plan."*

G3-32. Land Use Policies LU-1.10, LU-2.2, LU-3.2, LU-3.3, LU-6.3, LU-6.4, LU-9.8, and LU-9.12 address many of the core goals and objectives of the General Plan Update as outlined in the Project Description, including the assignment of land uses, housing densities and types, smart growth planning objectives (walkable neighborhoods, Villages), and conservation subdivisions. However, these land use policies defer their application and, therefore, their validity to the either the Community Plans or a community character consistency determination. At best, these policies are circular (deferring applicability to Community Plans which themselves are to be consistent with the General Plan—see statement above), and, at worst, for the purposes of

G3-33. CEQA analysis, they are undefined as the Community Plans have not been comprehensively updated, community character and its relationship to the implementation of these policies is not defined, and there is no way of determining to what extent, if any, these policies will be implemented.

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 5

- G3-34. However, they serve as the foundation of the General Plan project description. They are part of the key implementing tools of General Plan but they are effectively neutralized. Consequently, the Project Description of the General Plan is called into question. Short of removing the deference of applicability to the Community Plans and community character consistency, the
- G3-35. DEIR must analyze the impacts of not implementing these policies, including but not limited to, any associated increases in impacts to land use, traffic, GHG emissions, biological resources, and agriculture.

### Inconsistent Baselines

- G3-36. The DEIR's use of a variety of different baselines rather than reliance on a baseline as of the date of the Notice of Preparation is not supported by substantial evidence, nor does the DEIR adequately summarize the evidence or determinations surrounding the selection of the different baseline. *Save Our Peninsula Comm. V. Monterey County Bd. Of Supervisors* (2001) 87 Cal. App. 4th 99, 125, 104 Cal. Rptr. 2d 326; *see also Fat v. County of Sacramento* (2002) 97 Cal. App. 4th 1270, 1277, 119 Cal. Rptr. 2d 402. Establishment of a baseline is critical to a meaningful assessment of the environmental impacts of a project and the significance of environmental impacts cannot be determined without setting the baseline appropriately. *Save Our Peninsula Committee v. Monterey County Bd. Of Supervisors* (2001) 87 Cal. App. 4th 99, 119, 104 Cal. Rptr. 2d 326; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal. App. 4th 931, 955, 91 Cal. Rptr. 2d 66.
- G3-37.

### Agricultural Resources

- G3-38. There are many concerns about the Project's proposal to direct density into the western portions of the County, where agricultural uses thrive, and to direct agricultural uses into the eastern portion of the County, where it is much more difficult to have a viable agricultural operation. In fact, it is unlikely that agricultural uses will be generally viable in the east, and densities are being taken away from the property owners in the east, such they will be left with little or no feasible use of their property. The loss of all economically viable uses from these lands may lead to socio-economic impacts that can cause or contribute to blight, physical impacts on the
- G3-39. environment. These potential impacts should be addressed by the DEIR.

- G3-40. Development of a Conservation Subdivision Program (or clustering) is identified as a mitigation measure in the DEIR (Agr-1.3, Bio-1.1, Haz-4.4) in order to preserve open space and agricultural lands, reduce impacts to special status species and facilitate project designs which incorporate a defensible perimeter. Land Use policies LU-6.3 and LU-6.4 also support conservation subdivision design.

- G3-41. However, those policies and the corresponding mitigation measures conflict with LU-14.4 (see the previous section above). Sewer is required in order to implement conservation subdivisions (clustering). The minimum lot size for a residential development which uses a conventional septic system and leach field is approximately 1.25 acres. Although horizontal or vertical pit



## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 6

- G3-41. cont.** septic systems require less area, they can only be used with a few soil types. As a result, the locations where a horizontal or vertical pit septic system can be used are very limited. Alternative septic systems have not been approved by the RWQCB or County DEH for general use and at this point, any reliance on the future use of alternative septic systems is purely speculative.
- G3-42.** Therefore, the ability to implement conservation subdivisions (with minimum lot sizes of less than approximately 1.25 acres) is dependent on the provision of sewer service. However, the extension of sewer service outside village boundaries (except for public health, safety or welfare) is prohibited by LU-14.4. Thus, the DEIR inappropriately relies on development of a Conservation Subdivision Program that cannot be fully implemented, to help mitigate the impacts to special status species, open space and agricultural lands, and wildland fires.
- G3-43.** Furthermore, on page 2.16-39, the DEIR acknowledges that in soil types which are favorable for leach fields, 90-99 percent of the leachates reach the water table. The only resolution for this problem has been for the RWQCB to issue a waiver of waste discharge requirements to County DEH.
- G3-44.** The DEIR should analyze a change to LU-14.4, which would allow the extension of sewer service outside of village boundaries. Such a change (as described in the previous section) would allow a Conservation Subdivision Program to be implemented as a mitigation measure and also reduce impacts to groundwater from leach fields. As written, the DEIR fails to
- G3-45.** consider the actual physical limitations presented by conventional septic systems and leach fields when another feasible alternative is available.
- Biological Resources**
- G3-46.** The DEIR concludes that key biological impacts, including impacts to special status species, riparian habitat and other sensitive natural communities, and wildlife corridors will remain significant and unavoidable. However, there is insufficient evidence to support this conclusion.
- G3-47.** This conclusion is also inconsistent with the EIR prepared for the South County Plan, the environmental analysis prepared for the land uses on Forrest Service Lands and the purpose and intent of the Natural Communities Conservation Plan. The County of San Diego is a NCCP
- G3-48.** County. Therefore, this conclusion, particularly in light of the expansive federal and state park lands in the County, is simply not supported by sufficient evidence.
- Air Quality**
- G3-49.** The DEIR should be revised to clarify if the "hot spots" analysis took into account the road segments being allowed to operate at a failing level of service and, if it did not, to determine if that consideration would change the conclusions.

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 7

- G3-50. The DEIR should explain how requiring development to be compatible with existing community character would reduce impacts from wildfires, and should discuss how the Community Plan and Conservation Subdivision Ordinance policies would affect wildfire or other hazards risks.
- G3-51.
- Population and Housing**
- G3-52. The information used in this section of the DEIR is roughly 10 years old. Updated information is available and should be provided, and the analysis updated to reflect the more accurate information and figures.
- G3-53. In addition, the DEIR notes that housing stock has increased by 12%, almost two percentage points higher than in the rest of the County, yet the corresponding growth in population over the same time period should also be included in this section. The DEIR's references to the RHNA should include the time period over which this housing allocation applies.
- G3-54.
- G3-55. The DEIR's statement that the County is subject to severe environmental constraints, including sensitive habitat, is misleading in that the County defines "sensitive habitat" to include virtually everything on which a plant grows. Chaparral is defined as sensitive even though there are hundreds of thousands of acres of this vegetation type. The County has defined hundreds of thousands of acres of other vegetation as sensitive due to the presence of endangered species, even though the vast majority of such areas do not support any endangered species. In short, the severe environmental constraints are the result of definition and not reality, and that extremely conservative view should be acknowledged in the EIR, since it has severe consequences in that it is being used as the justification for limits on planning.
- G3-56.
- G3-57.
- G3-58.
- G3-59. One measure of whether communities will be balanced, providing adequate opportunities to live and work in the same community, is to analyze jobs-housing balance. Communities with too few or too many jobs will have more residents forced to commute to work, contributing to traffic congestion, air pollution and global climate change. This information is readily available through SANDAG and should be included in the DEIR. An analysis of jobs-housing balance, addressing whether this General Plan Update is, indeed, a balanced plan, is essential to the ability to reach an informed decision on this Project.
- G3-60. Section 2.12.4, discussing cumulative impacts, should also address population re-distribution and reduction in housing choice. The stated intent of the General Plan Update is to provide for growth accommodation in the existing towns and limited surrounding area. The General Plan Update has also stated that higher density housing is more appropriate in cities and is not compatible with rural areas, having potentially negative effects on community character. The practical effect of this is to force residents into the cities or outside the region, further burdening existing roads, water, sewer, and other public facilities and infrastructure. Yet, this issue is not addressed in the DEIR.
- G3-61.

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 8

- G3-62. According to the land use tables, the Project would add roughly 3,000 acres of more intense Village uses across all planning areas, but fails to include any information about what portion of new growth would be accommodated in Villages rather than in the Semi-Rural areas. The Project reduces population through the massive re-designation of land from Semi-rural to Rural yet the analysis of this loss in this housing capacity and the concomitant environmental impacts on other areas is not found in the DEIR. Lastly, additional information on the resulting jobs-housing balance would also be useful in evaluating whether each community will include a sufficient number of jobs to allow residents to live and work in the same community if they so desire.

### Recreation

- G3-65. Housing Element Policy H-2.2 requires certain projects to include on-site common open space, which would help avoid deterioration of public recreational facilities. (2.14-17). On-site common open space should be listed as a type of park and recreation facility that meets the population-based park requirements.
- G3-66. Mitigation for park and recreation impacts includes "seeking funding" and "maximize funding opportunities" (2.14-23, 2.13-24). This does not constitute a reasonable plan of actual mitigation that the County is committed to implementing.
- G3-67. "Establishing greenbelts between communities" sounds like creating an urban growth boundary. If this is the case, secondary and indirect environmental impacts of placing development inside such greenbelts should be analyzed. (2.14-27).

### Transportation and Traffic

- G3-68. The information used in the traffic section also is outdated. The Traffic section is based on the SANDAG series 10 Regional traffic model, but SANDAG now uses Series 11. Also, only the Board -Endorsed Roadway Network was used for the proposed Project and its alternatives,
- G3-69. with the only exception being the addition of Road 3A for the Project and cumulative Project analysis scenarios. Even then, Road 3A is not described in detail. No other network scenarios were analyzed or compared using potential alternate parallel routes to help relieve congestion and divert traffic off deficient roadways. even though there are many alternatives that could relieve traffic and help alleviate the failing LOS on some of the road segments.
- G3-70.
- G3-71. The DEIR allows failing road segments, justified in part by a conclusion that improving the roads would create impacts to community character. Yet, Mitigation Measure Aes-3.1 states that the County shall "Improve upon County road standards or other right of way design guidelines to provide standards related to road design, parking, landscaping and elements of the public realm that to are critical to the character of a community". In addition, to help mitigate impacts to aesthetics and community character, the General Plan Update implements Policy LU-12.4, which states that the County shall "...Require context sensitive Mobility

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 9

- G3-71. cont.** Element road design that is compatible with community character and minimizes visual and environmental impacts." This is an inconsistency that should be corrected in a revised DEIR.
- G3-72.** Part of the justification for allowing failing roadway segments is the argument that improving or widening roadways would attract additional regional traffic volumes from parallel roads or freeways; however, this conclusion is not supported by any evidence showing the proportions of regional traffic versus local traffic.
- G3-73.** It is not clear from the DEIR if the road network was updated for the Referral Map or if instead the original proposed road network was used. Tables in the appendix use numbers instead of number of lanes needed to go from deficient to acceptable, which makes assessing the impact and the need for additional road requirements extremely difficult, especially for the average reader.
- G3-74.**
- G3-75.** Opportunities to mitigate impacts by reducing vehicle miles traveled in commuting were overlooked. For example, the Tecate Sponsor Group actually stated that their goal was to create an economically viable community plan and they hired a consultant to analyze market demand in their town. Their idea was to create a town that would attract Mexican shoppers, rather than have them drive all the way into the more urbanized areas. The study found that 870,000 sq. ft of retail could be supported by 2020. The Sponsor Group then prepared a plan that would reflect this need. However, the Sponsor Group plan includes virtually no residential, meaning that people who work in the commercial and industrial areas are either going to live in Mexico, or be driving from many other areas. Rural Residential 1/20 ac. and 1/40 ac. are located right up against industrial and commercial uses. It appears that the traffic study did not consider the commuting that would be required due to the increase in employment, with no corresponding increase in nearby residential opportunities.
- G3-76.**
- G3-77.** Section 2.15.1.1 states that high vehicle miles traveled (VMT) usually indicates a pattern of land uses that is dispersed and not well mixed. It identifies several areas with the highest VMTs, including North County Metro, Lakeside, Fallbrook and Bonsall. However, this simple statement of statistics is not an analysis. It is difficult to determine what could be done to reduce the VMTs. For example, are the high levels of VMTs in North County Metro due to a greater number of people making short trips into Escondido? Are the high number of VMTs in Bonsall due to residential traffic or due to "pass through traffic, i.e., people traveling through Bonsall to get from coastal areas to I-15? It is impossible to evaluate the proposed alternatives and the proposed project without an understanding as to the cause of the existing condition.
- G3-78.**
- G3-79.**
- G3-80.** The DEIR should be revised to provide the context and explanation relating existing land uses to the existing traffic conditions in order to allow the reader to properly evaluate the proposed project and alternatives.
- G3-81.** In the discussion of Rural Road Safety, it is unclear if the 75% statistic for rural accidents is specific to San Diego County. It should be true in very large rural areas where the only drivers

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 10

- G3-81. cont.** on the roads are from the surrounding area. Such a condition may not true for San Diego County, where large numbers of urban residents who do not know the roads drive to the back country every weekend.
- G3-82.** The DEIR should conduct analysis for an alternative roadway network sufficient to carry the forecast traffic. Also, the DEIR should discuss the impact that planning for congested roads will have on other roads in the vicinity. It is well known that people will seek alternative routes
- G3-83.** around congested roadways even if such routes are longer, creating additional congestion on those other roads.
- G3-84.** The "Proposed General Plan Update Goals and Policies" section cites proposed policies that would reduce vehicle miles traveled and roadway congestion through limitations on land use, including prohibitions and limitations on office, commercial and industrial land uses. Did the county consider the need for jobs in each community and include the appropriate amount of employment generating uses to maximize the opportunities available to residents to live and work in their own community? If not, the proposed goals and policies will not accomplish any reductions as residents will still find it necessary to commute long distances to work. This should be discussed in the DEIR.
- G3-85.** Are the deficiencies referenced in the Project Related Traffic Impacts on Adjacent Cities discussion due to conflicting roadway classifications or too much traffic? If too much traffic, is
- G3-86.** it due to County residents driving into the City in order to work? If so, mitigation of providing
- G3-87.** employment lands nearby could ease the traffic problems and should be discussed.
- G3-88.** Finally, there is a discrepancy between the SANDAG data and the data the County placed in the DEIR in Table 2.15-19. The road classification numbers are different, and the average daily trips (ADT) per level of service (LOS) for the various road classification numbers do not match the information used by SANDAG for those same road classification numbers. The DEIR should be consistent with SANDAG or provide an explanation of why it is not using consistent data.
- G3-89.** Section 2.15.6.1 of the DEIR, identifies several infeasible mitigation measures with respect to accepting a lower LOS on certain Mobility Element roads. The criteria include Marginal Deficiencies, Town Center Impacts, Regional Connectivity and Impacts to Environmental or Cultural Resources.
- Appendix I adds Community Consensus as a rationale for accepting a lower LOS as does Table 2.15-28. However, Community Consensus (e.g., the preference of the Community Planning Group) is not described as a rationale in the GP, and where a decision to accept a lower LOS was based on Community Consensus, the DEIR needs to describe and analyze potential impacts to travel times and emergency ingress and egress so that the public can evaluate such trade-offs.



## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 11

- G3-90. Separately, Table 2.15-28 shows "Land Use Modifications" as an option to address deficiencies to the Mobility Element road network. Unfortunately, the DEIR fails to analyze "Land Use Modifications" as a potential mitigation measure and does not identify General Plan policies that address this mitigation measure. The addition of a Special Study Area policy to the Land Use Element is necessary to correct this deficiency as well as deletion of the use of mandatory language in the land use policies that would serve to prevent legitimate changes to the new general plan absent completion of another comprehensive update.
- G3-91. The Traffic section of the EIR omits the reporting of LOS on some Mobility Element Roads.
- G3-92. How will determination of potential impacts occur without this analysis? In addition, the SANDAG LOS plots identify the roadway volumes as an adjusted volume. The SANDAG
- G3-93. traffic model generates unadjusted and adjusted volumes. It is not clear which volumes are used to generate the color coded plots. If the plots show adjusted volumes on the links but
- G3-94. represent the LOS from unadjusted volumes, then the EIR is misleading the public with the actual LOS vs. the reported LOS.
- Public Utilities**
- G3-95. Section 2.16.6.1 states that no specific facility upgrades to address the increased land uses and associated need for additional sewer capacity for the proposed development have been addressed in this DEIR; rather, the mitigation is deferred to the future, and to other agencies – namely, the local sewer districts. They are assumed at some time in the future to upgrade their
- G3-96. facilities and other infrastructure and thereby mitigate the impacts. This DEIR should address
- G3-97. the impacts and mitigation on a programmatic level, with specific strategies for actual mitigation.
- G3-98. Section 2.16.3.2 states that, "One of the guiding principles of the proposed General Plan Update is to promote sustainability by locating new development near existing infrastructure; thereby reducing the potential for environmental impacts associated with extensive infrastructure improvements over long tracts of land." This statement is not accurate. The proposed General Plan Update states that (per section 2.16.1.1) "the core concept for the County's development directs future growth to areas where existing or planned infrastructure and services can support growth and locations within or adjacent to existing communities." In communities where adequate wastewater facilities do not exist, what assurances does the County have that such facilities will be provided such that necessary housing will also be provided?
- G3-99. Page 2.16-50 of the DEIR states that significant growth is being located in existing groundwater dependent water districts. Table 2.16-2 should be revised to include information on the number of future equivalent housing units that can be accommodated by each district without significantly mining the groundwater basin. Without this information, it is not possible to determine if the expectation of such growth is realistic, or if those projected equivalent dwelling



## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 12

- G3-99. units (EDUs) will be available to provide the County fair share of homes per the Housing Element.
- Climate Change
- G3-100. Section 2.17.3.2 contains a speculative set of possible effects of global warming on the County. From the information presented in the document, it appears that these effects could occur whether there is further growth or not, and whether the proposed project is adopted and implemented, or not. This section does not analyze the impacts of the proposed project on the predicted global warming trend, making it impossible for any reader or decision-maker to form an educated opinion about whether this proposed project will even have an impact.
- Growth-Inducing Impacts
- G3-101. Section 3.1.1 states that growth would be accommodated in the northwestern and southwestern portion of the unincorporated County, "where existing infrastructure is available". Infrastructure is at or near capacity in many of those areas, however, with expansion of such infrastructure controlled by independent districts over which the County has no control.
- G3-102. This section also states that intensified development would occur in Rainbow, North County Metro, San Dieguito and Valley Center, and that the "increase in employment opportunities in these unincorporated communities would potentially increase demand for housing in surrounding jurisdictions. It should be pointed out that the Desert, Mountain Empire, North Mountain, and Pala-Pauma would also experience a significant change in population. Later in this section, it is stated that "employment opportunities and associated housing demand would be developed consistent with each other." This statement is in error. An example is Tecate,
- G3-103. where large increases are planned in commercial and industrial uses without a corresponding increase in housing. In addition, the County has done no analysis of the amount of
- G3-104. employment that could be accommodated in each planning area given a certain population or amount of housing.
- G3-105. In general, the DEIR fails to document the conclusion that employment and housing are being developed consistent with each other. As a result, then the statements must be removed and
- G3-106. the EIR revised or the jobs-housing balance study or information supporting such statements should be provided.
- Alternatives Analysis
- G3-107. The DEIR fails to include a reasonable range of alternatives, instead merely looking at slight alternatives to one development pattern, pushing development to the west and downzoning the east in all circumstances. For example, the DEIR's rejection of the Backcountry Development
- G3-108. Alternatives is unsupported, and even the description of the alternative itself is misleading. The DEIR characterizes land designated for one home on every four acres as "higher density," but

## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 13

- G3-108. cont. the average reader would not consider "higher density" as one lot for four acres, but rather are left with the impression that the densities are much greater. The DEIR's assertion that the alternative is infeasible because it would produce additional burdens on infrastructure capacities that fails to take into consideration the fact that the developments' sewer would be private, that yield would be predicated on groundwater availability, etc. Moreover, the statement that such an alternative would increase public costs by not concentrating development within the San Diego County Water Authority (SDCWA) lacks support. What public costs are associated with being outside the SDCWA? The backcountry relies on the County's Groundwater Policy to manage/direct growth and the County of San Diego Department of Environmental Health (DEH) endorses the creation of private water companies, and neither of those results in costs to the public.
- G3-109.
- G3-110.
- G3-111. The conclusion that this alternative would not help the County reach its goal of retaining land for agriculture and sensitive resources also is without support. The DEIR's own Agricultural section states that the most productive agriculture in the unincorporated area of the County are small farms on four acres or less. The evidence also demonstrates that the majority of the so-called "backcountry" has very poor soils and very little opportunity for agriculture. The DEIR's conclusion that higher density would not reduce environmental impacts fails to take into consideration the fact that providing access, fire protection and similar services to lots of 160 acres is also impactful. Less density does not necessarily correlate to fewer impacts.
- G3-112.
- G3-113. The Casino Focused Development Alternative analysis also is flawed and seems to have been designed to fail. Had the DEIR explored a higher density, smaller development footprint this alternative would have been able to achieve a number of the goals that the DEIR states it cannot meet.
- G3-114.
- G3-115. The Full Road Network Capacity Alternative includes the County's typical requirement that roads must be wide, flat, and straight, despite the topography and other constraints. Its rejection is based in part on the conclusion that the County lacks funds to fully implement the road network. However, it should go further, and explain that one primary reason that it does not have the funds to implement the road network regardless of the number of lanes is because the County curtails development. Without development there are no fees or other exactions from developers and therefore inadequate funding for infrastructure.
- G3-116.
- G3-117. In general, the most concerning aspect of the Alternatives section is its failure to even attempt to discuss anything more than slight variations in one land use pattern of shifting 80% of the density to the west. That cannot constitute a reasonable range of alternatives.

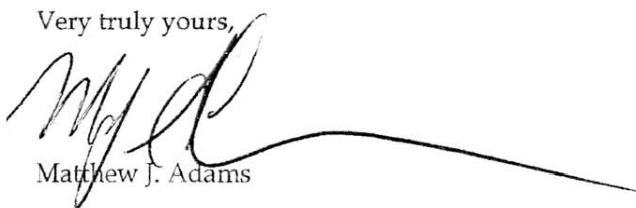
## Comment Letter G 3, Building Industry Association (BIA) (cont.)

Devon Muto  
August 29, 2009  
Page 14

G3-118.

Thank you for the opportunity to comment on the DEIR, we look forward to working with you to ensure an adequate and effective General Plan for the future of the County of San Diego and its citizens.

Very truly yours,

A handwritten signature in black ink, appearing to read 'MJA', followed by a long horizontal flourish line extending to the right.

Matthew J. Adams

Deputy Director

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**Responses to Letter G 3, Building Industry Association (BIA)**

- G3-1 This comment is an introduction to the comments that are addressed in responses to comments G3-2 through G3-118. It does not raise a significant environmental issue for which a response is required.
- G3-2 The County agrees with this comment and the issues raised are not at variance with the DEIR. However, it should be noted that build-out of the General Plan Update is not necessarily planned for 2030, but is expected to roughly coincide with that timeframe.
- G3-3 This comment correctly summarizes information provided in the DEIR. It does not raise a significant environmental issue for which a response is required.
- G3-4 This comment correctly summarizes information provided in the DEIR. It does not raise a significant environmental issue for which a response is required.
- G3-5 The County does not agree with this comment. This comment incorrectly states that the General Plan Update population forecast is lower than SANDAG's forecast due to certain infrastructure and environmental constraints. DEIR Section 1.13.1, Components of the County Population Forecast Model, states that the General Plan Update population forecast is lower than the previous General Plan, not SANDAG forecasts, due to lower density development identified for areas with land use constraints, such as those that lack sufficient infrastructure and services or are prone to safety concerns, such as wildfires. As discussed in DEIR Section 1.13.2, Differences with SANDAG Population Forecast Model, the difference between the County and the SANDAG population forecasts is due to differences in the population models. The difference between the two models is mostly attributed to differences in persons per household (PPH), vacancy rates, and group quarters population.
- G3-6 The County does not agree with this comment. The County's population forecast was developed using the County's population model. The land use designations proposed in the General Plan Update reflect infrastructure constraints and protect sensitive natural resources which are incorporated into the population model, as discussed in DEIR Section 1.7.1.1, Land Use, under the heading, Proposed Land Use Map. As described in DEIR Section 1.13.1, Components of the County Population Forecast Model, the County's model identifies the number of future residential units that would be allowed at build-out according to the proposed land use map and existing constraints. From this information, the forecast population was derived by considering several additional factors, such as existing population, population living in group quarters, vacancy rate, and persons per household.
- G3-7 The County does not agree with this comment. This comment incorrectly states that SANDAG forecasts a population of 768,000 people in the unincorporated County in 2030. However, 768,000 is the population forecast under the existing General Plan. SANDAG's 2030 population forecast for the unincorporated County is 723,392. The DEIR discusses the difference between SANDAG's population model and the County's population model in Section 1.13.2, Differences with SANDAG Population Forecast Model. See also response to comment G3-5 for further information regarding the differences between these two models.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-8 The County does not agree with this comment. The County's population forecast was developed using the County's population model. See response to comment G3-6 for additional information regarding the County's forecast model.
- G3-9 The County does not agree with this comment, which states that the County's existing and proposed land use designations and policies limit growth in the unincorporated County. While it is true that the General Plan provides the regulatory framework that determines what growth may occur in the unincorporated County, existing and proposed General Plan land use designations and policies are based on existing physical constraints to development as discussed in Section 1.7.1.1 of the DEIR, Land Use. The land use framework reflects constraints on development, not the other way around.
- G3-10 The County disagrees with the comment. The DEIR evaluates the environmental impacts of the proposed General Plan Update in accordance with CEQA and the CEQA Guidelines. CEQA Guidelines Section 15126, Consideration and Discussion of Environmental Impacts states "All phases of a project must be considered when evaluating its impacts on the environment: planning, acquisition, development and operation." CEQA Guidelines Section 15126.2, Consideration and Discussion of Significant Environmental Effects, states "Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land, health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services." These guidelines provide the appropriate framework for the environmental impact analysis of the DEIR, and are the basis for which the DEIR determined the significance of the project impacts.
- G3-11 The County generally agrees that planning for higher density development on smaller development footprints would reduce impacts to natural resources; however, this kind of development does not reduce all environmental impacts when compared to the same amount of development on a larger footprint. Environmental impacts that may be increased from higher density development, as compared to lower density development, include visual character or quality, permanent increases in ambient noise levels, and traffic and level of service standards. However, the planning strategy suggested in the comment is already incorporated into the General Plan Update by developing a land use map that favors more efficient development by accommodating more residential growth on less land, as discussed in Section 1.7.1.1 of the DEIR, Land Use.
- G3-12 The County agrees with the comment. The planning strategy identified in the comment is already incorporated into the General Plan Update by accommodating higher density growth in the western areas of the unincorporated County where established communities exist and are in closer proximity to the incorporated cities, as discussed Section 1.7.1.1 of the DEIR, Land Use.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

G3-13 The County disagrees with the comment. As stated in responses to comments G3-11 and G3-12, the General Plan Update does incorporate the planning principles referred to in the comment, and as a result, the proposed land use designations were developed to concentrate development where infrastructure is currently provided or can be made available, and where fewer environmental constraints exist, as discussed in Section 1.7.1.1, Land Use, of the DEIR. The planning principles used in the General Plan Update Land Use Element respond to existing infrastructure and environmental constraints, they do not create or designate constraints, as the commenter implies. Additionally, the DEIR evaluates the environmental impacts of the proposed General Plan Update in accordance with CEQA Guidelines Section 15126, Consideration and Discussion of Environmental Impacts. Refer to response to comment G3-10 for additional information.

G3-14 This comment summarizes the revisions to Section 65080(b)(2)(B) of the Government Code in Section 4 of Senate Bill (SB) 375 (Addressing Greenhouse Gas Emissions from the Transportation Sector via Regional Transportation Plans) which includes the following statement:

"Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to utilize the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall (i) identify the general location of uses, residential densities, and building intensities within the region; (ii) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth; (iii) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584..."

SANDAG is the metropolitan planning organization for San Diego County. While the commenter's summary is generally correct, it is more accurate to say that SANDAG is required by SB 375 not to assume that the forecasted population would be housed in surrounding counties specifically when preparing its sustainable communities strategy. This comment does not raise a significant environmental issue for which any additional response is required.

G3-15 The County does not agree with the commenter's opinion that the General Plan Update does not plan for sufficient development densities to accommodate anticipated growth. As discussed in DEIR Section 1.13, County Population Forecast Model and Projected Growth, the County's population forecast model identifies the number of future residential units that would be allowed at build-out according to the proposed land use map and existing constraints. From this information, the forecast population is derived by considering several additional factors, such as existing population, population living in group quarters, vacancy rate, and persons per household. Using this information, the County's population model forecasts a build-out population of 678,270 for the County. This population would be accommodated



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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

by the proposed project (Referral Map). Therefore, anticipated population growth is consistent with the proposed land use designations.

The comment also states that the proposed project's policies would result in many obstacles; and existing regulations would make it impossible to achieve the maximum densities allowed. However, the commenter does not identify which of the project's numerous policies they think would result in obstacles, what the obstacles are, or which existing regulations would prevent the achievement of the maximum densities allowed by the General Plan Update. The County disagrees with the comment. The policies identified in the General Plan Update are intended to support implementation of the land use designations proposed by the land use map. To the extent necessary, existing planning documents and regulations, such as the County's community plans, Resource Protection Ordinance and Zoning Ordinance, would be updated to be consistent with the General Plan Update. Therefore, the proposed project's policies and existing regulations would not result in obstacles or prevent the achievement of the maximum densities allowed by the General Plan Update.

- G3-16 The County does not agree with this comment. The comment states that only a small amount of acreage in the County is designated for high density village residential uses. While "small" is a relative term, the allocation of approximately 38,819 acres to village residential use is not considered by County staff to be a small amount of acreage.

The comment also argues that allowed densities will not be achieved because of incompatibility with community character. The compatibility of the General Plan Update land uses with community character is discussed under the heading Impact Analysis in Section 2.1.3.3, Issue 3: Visual Character or Quality. As discussed in this section, the General Plan Update would accommodate intensified development within several communities which would have the potential to result in substantial changes to community character.

These communities are Alpine CPA, Bonsall CPA, Central Mountain Subregion, Crest/Dehesa/Harbison Canyon/Granite Hills Subregion, Desert Subregion, Fallbrook CPA, Julian CPA, Lakeside CPA, Mountain Empire Subregion, Rainbow CPA, Ramona CPA, San Dieguito CPA, and Valley Center CPA. Thus, the DEIR recognizes the potential for the land uses proposed in the General Plan Update to result in a potentially significant impact to community character, and proposes mitigation measures in DEIR Section 2.1.6.3, Issues 3: Visual Character or Quality, to reduce impacts to the extent feasible.

The DEIR concludes that impacts associated with visual character and quality would be significant and unavoidable. Therefore, the General Plan Update does not preclude development as a result of conflicts with community character; it would allow development to occur despite the impacts. Further, as discussed in DEIR Section 2.1.6.3, a mitigation measure that was considered but ultimately rejected was a requirement for community plans to severely limit the potential for development growth in order to maintain the existing visual character or quality of

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

each community. However, the measure was determined to be infeasible because it would conflict with areas identified for increased growth under the General Plan Update, conflict with goals of the Housing Element to provide sufficient housing stock, and would not achieve one of the primary objectives of the proposed project which is to accommodate a reasonable amount of regional growth.

The commenter also presents the opinion that allowed densities in village development areas will not be achieved because they would not be allowed by community plans. As stated in Section 1.8.1, Community Plan Updates, under the proposed project, existing community plans would be updated for consistency with the General Plan Update elements by removing outdated policies, goals, conditions, and any information that is inconsistent with the General Plan Update. Therefore, the Community Plans would be updated to be consistent with the land use framework of the General Plan Update and the village development areas proposed in the General Plan Update would be allowed under the community plans. Additionally, as discussed in the previous paragraph, a mitigation measure requiring that community plans limit development in order to preserve existing community character was rejected as infeasible because it would conflict with areas identified for growth under the General Plan Update.

The comment also states that allowed densities in village development areas will not be achieved because of obstacles presented by compliance with vague General Plan policies. The commenter does not identify which of the project's numerous policies are vague or would result in obstacles, or what the obstacles are. The policies identified in the General Plan Update are intended to support implementation of the land use designations proposed by the land use map. Therefore, the proposed project's policies would not result in obstacles or prevent the achievement of the maximum densities allowed by the General Plan Update.

- G3-17 The County does not agree with this comment which states the opinion of the commenter that the summary of General Plan Update Policy LU-1.6, Village Expansion, in the DEIR makes it unclear whether the project will allow for village densities and accommodate the population forecast for the unincorporated County. The portion of Policy LU-1.6, Village Expansion, that pertains to the issue of visual character and quality is summarized in Section 2.1.3.3, Issue 3: Visual Character or Quality under heading Proposed General Plan Update Goals and Policies, to demonstrate that this policy would protect visual character or quality. Policy LU-1.6, Village Expansion is listed Section 2.1.6.3 of the DEIR, Issue 3: Visual Character or Quality.

As stated above, General Plan Update Policy LU-1.6, Village Expansion, provides guidance for the expansion of development within the Village Regional Category. It does not restrict the development of village densities; instead it provides guidance to ensure that the development of these land uses would minimize environmental impacts. As discussed in response to comment G3-9, the land use designations proposed by the General Plan Update are intended to reflect infrastructure constraints and protect sensitive natural resources (see DEIR Section 1.7.1.1, Land Use). The General Plan Update aims to accommodate village development in areas

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

where such development would be possible, given existing constraints. Therefore, the proposed project would allow for village densities and accommodate the necessary population forecast.

- G3-18 The County disagrees with this comment, which indicates that information provided in the Housing Element Background Report has not been included or analyzed in the DEIR. The Housing Element is part of the proposed project and has been fully analyzed in the DEIR. While the Housing Element Background Report does not propose specific development that would occur under the General Plan Update, it does identify where residential development may be accommodated. This information was utilized in the development of the General Plan Update land use framework. The DEIR analyzes the potential impacts that would occur from full build-out of all proposed land use designations in the County, including areas identified for residential development in the Housing Element. Future housing projects would be required to comply with the underlying land use designation of the site, regardless of income level. Therefore, the DEIR fully analyzes the impacts that the build-out of various types of residential land uses would have on the environment. No revision to the DEIR is necessary.

Additionally, updates to the County's Zoning Ordinance are included as part of the proposed project, discussed in Section 1.8.8, San Diego County Zoning Ordinance, and analyzed throughout the DEIR as a project component.

Additionally, this comment states that the County is required under SB 375 to designate and zone enough land to accommodate all income levels. As stated in Section 2 of the Legislative Counsel's Digest portion of SB 375, this requirement is taken from existing State law. The General Plan Update Housing Element was prepared in accordance with State law and has been reviewed and received a finding of substantial compliance by the State Department of Housing and Community Development. Therefore, the project meets the SB 375 requirement regarding income levels.

- G3-19 The County agrees with the comment, which correctly states that the SANDAG growth projections are used to prepare the Regional Housing Needs Assessment (RHNA). As the regional planning agency, SANDAG is responsible for allocating the RHNA to individual jurisdictions. After determining the region's housing needs number through consultation with the California Department of Housing and Community Development, SANDAG works with its member jurisdictions to allocate the regional share by jurisdiction, and to allocate each jurisdiction's regional share number by income category.

- G3-20 The County does not agree with this comment, which incorrectly states that the DEIR does not explain the RHNA allocation of 12,368 is for the planning period through 2010. As explained in DEIR Section 1.7.1.2, Housing, the Housing Element covers the planning period of July 1, 2005 through June 30, 2010. As part of the 2005-2010 Housing Element cycle, the County has been allocated a share of the region's housing needs that is equivalent to 12,358 units. Therefore, this information is available in the DEIR. No revision to the DEIR is necessary.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Additionally, this comment requests the DEIR add information about the 2050 population projection that is being prepared by SANDAG. The County appreciates and acknowledges this information. However, existing conditions provided in the DEIR describe conditions on or around April 2008, which is the when the Notice of Preparation was circulated for public review and therefore is the date established for the data baseline. This is consistent with Section 15125 of the CEQA Guidelines, which states that “an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published”. Additionally, as the commenter acknowledges, the SANDAG 2050 population information is currently in the development stages and is not available for use in the DEIR. No revisions to the DEIR were made in response to this comment.

- G3-21 The County disagrees with this comment, which incorrectly states that the RHNA numbers are based on SANDAG’s population forecast of 768,000. The reference to 768,000 is the population forecast of the existing General Plan, not the population used by SANDAG. As stated in Section 1.13.2, Differences with SANDAG Population Model Forecast, SANDAG forecasts that the unincorporated County’s 2030 population would be 723,392. This comment does correctly state that the population forecast for the proposed General Plan Update is 678,000. No revisions were made to the DEIR in response to this comment.
- G3-22 The County disagrees with this comment, which states that the General Plan Update housing capacity would conflict with the RHNA beyond 2010. This comment is speculative because the RHNA for the cycle following the 2005-2010 Housing Element cycle has not yet been determined; therefore, its impacts cannot be analyzed. No revisions to the DEIR are required in response to this comment.
- G3-23 This comment is speculative because the RHNA for the cycle following the 2005-2010 Housing Element has not yet been determined; therefore, its impacts cannot be analyzed. The number of homes needed in the County beyond the current RHNA may also be thousands of units lower than the number provided by the General Plan Update. No revisions to the DEIR are required in response to this comment.
- G3-24 The County disagrees that the DEIR should be revised to explain how additional housing will be allocated among various planning areas due to updated growth projections. Please refer to responses to comments G3-20, G3-22 and G3-23 for additional information. As described under the heading Impact Analysis in Section 2.12.3.2, Issue 2: Displacement of Housing, the County’s land use plan would far exceed its RHNA of 12,358 new residential units by accommodating up to 71,540 new residential units. Therefore, the project would provide 59,182 more residential units than its RHNA. This provides a substantial buffer of new housing units that were analyzed beyond the amount currently required by RHNA, or may be required by the RHNA in the future.

The County agrees that information identifying when growth projections will be updated should be included in the DEIR. Therefore, the County has revised DEIR Section 1.7.1.2, Housing, to include a statement that identifies the Housing Element

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

will be updated every five years, in accordance with State law. The revisions to this section provide clarifying text only and do not result in any new significant environmental impacts, an increase in the severity of previously identified project impacts, or new feasible project alternatives or mitigation measures.

- G3-25 This comment correctly states that the General Plan Update was determined to be compatible with the Regional Comprehensive Plan (RCP) as identified in Section 2.9.3.2 of the DEIR, Issue 2: Conflicts with Land Use Plans, Policies, and Regulations. The County disagrees that the General Plan Update is inconsistent with the RCP because of the identified quotation, taken from page 45 in Chapter 3 of the RCP. As stated in Section 2.9.3.2 of the DEIR, “The General Plan Update is not required to comply with the recommendations in the RCP; however, the County considered the RCP goals and implemented them to the extent feasible during the General Plan Update planning process.” The DEIR further states that the RCP Smart Growth Opportunity Areas concept “is closely related to the County’s community development model for the village, semi-rural, and rural land use categories, and is reflected in the project objectives identified for the General Plan Update, as described in Section 1.3, Project Objectives.” Additionally, the DEIR states “The RCP endorses a land use pattern that channels much of the region’s future growth into existing urban communities, preserving and protecting the lifestyle and sensitive environment of the rural unincorporated areas. The General Plan Update would be consistent with this land use pattern by proposing higher density village development primarily within the SDCWA boundary and in areas that currently have higher density development, and preserving the rural land uses in areas outside of the SDCWA boundary, primarily in the eastern backcountry portion of the County.”

The consistency analysis in Section 2.9.3.2 of the DEIR compares the overall objectives of the General Plan Update to the RCP on a programmatic level. Although the General Plan Update may not be consistent with every component of the RCP, its programmatic consistency is evident. As such, no revisions to the DEIR were made based on this comment.

- G3-26 The County disagrees with this comment. The General Plan Update does not “plan for congestion”, nor does it focus on maintaining community character to the detriment of accommodating housing. The commenter misinterprets the information presented in the DEIR. As identified in DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading Summary, implementation of the proposed General Plan Update would result in a total of 136 deficient roadway segments throughout the unincorporated County. The 136 deficient roadway segments would result in a total of 253 deficient lane miles since roadway segments often consist of multiple lanes. When comparing the proposed project to existing conditions traffic (Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading Comparison of Existing Conditions to Proposed Project Impacts), the proposed project would result in fewer deficient lane miles. This indicates that the proposed project would improve traffic conditions as compared to the existing condition. However, proposed project would result in significant impacts, including LOS E and F conditions, on roadways in the County. Please refer to Appendix I, Impacted Roadway Segment and Supporting

## Responses to Letter G 3, Building Industry Association (BIA) (cont.)

Rationale for LOS E/F Level Acceptance, for the County's acceptance rationale behind each roadway anticipated to have a failing LOS under implementation of the General Plan Update.

The County also disagrees that the General Plan Update maintains community character to the detriment of accommodating housing. As discussed in response to comment G3-16 above, the DEIR recognizes the potential for the land uses proposed in the General Plan Update to result in a potentially significant impact to community character, and proposes mitigation measures in DEIR Section 2.1.6.3, Issues 3: Visual Character or Quality, to reduce impacts to the extent feasible. The DEIR concludes that impacts associated with visual character and quality would be significant and unavoidable. Therefore, the General Plan Update does not preclude development as a result of conflicts with community character; rather it would allow development to occur despite the impacts. In addition, DEIR Section 2.12, Population and Housing, concludes that the proposed project would result in less than significant impacts to population and housing. Therefore, the General Plan Update would not maintain community character to the detriment of accommodating housing. No revisions were made to the DEIR in response to this comment.

G3-27 The County disagrees with the comment that the General Plan Update is inconsistent with SB 375 and AB 32.

The intent of SB 375 is to reduce vehicle miles traveled (VMT) in an effort to reduce greenhouse gas (GHG) emissions. General Plan Update Policy LU-4.1, Regional Planning, specifically requires that the County participate in regional planning to ensure that the unique communities, assets and challenges of the unincorporated lands are appropriately addressed with the implementation of the planning principles and land use requirements of SB 375.

Additionally, the General Plan Update and DEIR identify numerous policies and mitigation measures that would reduce both VMT and GHG. The following policies are identified in Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards: Policy LU-5.1, Reduction of Vehicle Trips within Communities; Policy LU-10.4, Commercial and Industrial Development; Policy LU-11.8, Permitted Secondary Uses; and Policy M-5.1, Regional Coordination. This section also identifies mitigation measure Tra-1.1, which encourages the increase in different modes of travel. The following policies are identified in Section 2.15.6.6., Issue 6: Alternative Transportation: Policy M-8.6, Park and Ride Facilities; Policy LU-5.4, Planning Support; Policy LU-9.8, Village Connectivity and Compatibility with Adjoining Areas; Policy LU-11.6, Office Development; Policy M-8.2, Transit Service to Key Community Facilities and Services; Policy M-8.3, Transit Stops that Facilitate Ridership; and Policy M-9.2, Transportation Demand Management. This section also identifies the following mitigation measures, which encourage the use of alternative transportation: Tra-6.1, Tra-6.3, Tra-6.4, and Tra-6.5. DEIR Section 2.17.6.1, Issue 1: Compliance with AB 32 includes a number of General Plan Update policies and mitigation measures that aim to reduce GHG emissions for both the County's government operations and community-based sources. General Plan Update policies that would reduce GHG emissions include: Policy COS-15.1, Design and

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Construction of New Buildings; Policy COS-15.3, Green Building Programs; Policy COS-17.1, Reduction of Solid Waste Materials; Policy COS-17.5, Methane Recapture; Policy COS-18.2, Energy General from Waste; Policy COS-20.1, Climate Change Action Plan; Policy COS-20.2, GHG Monitoring and Implementation; and Policy COS-20.4, Public Education. This section also includes mitigation measures CC-1.1 through CC-1.18, which would reduce GHG emissions throughout the unincorporated County. An example includes mitigation measure CC-1.2, which requires the County to prepare a County Climate Change Action Plan that includes comprehensive and enforceable GHG emissions reduction measures that achieve a 17 percent reduction in emissions from County operations from 2006 by 2020 and a 9 percent reduction in community emissions by 2020. For the reasons listed above, the County has determined that the General Plan Update is consistent with SB 375.

DEIR Section 2.17.3.1, Compliance with AB 32, includes an analysis of the General Plan Update's consistency with AB 32. As discussed in this section, by the year 2020, GHG emissions in the unincorporated County are projected to increase to 7.1 million metric tons of CO<sub>2</sub> equivalent (MMT CO<sub>2</sub>e), from 5.3 MMT CO<sub>2</sub>e in 1990, without incorporation of any GHG-reducing policies or mitigation measures. This amount represents an increase of 24 percent over 2006 levels, and a 36 percent increase from estimated 1990 levels. This is considered a potentially significant impact associated with compliance with AB 32. However, the DEIR also identifies mitigation measures to reduce this impact to the extent feasible and as a result of these commitments is expected to comply with AB 32. No changes were made to the DEIR in response to this comment.

With regard to housing capacity, as stated in DEIR Section 2.12, Population and Housing, the General Plan Update has planned for adequate housing in accordance with State law, and would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, including surrounding cities and counties. Additionally, the General Plan Update does not "reduce housing capacity" as is suggested by the commenter. As discussed in response to comment G3-24, the DEIR would accommodate up to 71,540 new residential units, which is 59,182 more residential units than its RHNA requirement. It is assumed that commenter is comparing the existing General Plan to the General Plan Update, when referring to a reduction in housing. However, this would be considered a "plan to plan" analysis, which is not legally adequate under CEQA. Consistent with the CEQA Guidelines Section 15125, the DEIR analyzes the proposed project's impact on environmental conditions that existed at the time the Notice of Preparation was circulated for public review (April 2008). This is considered a "plan to ground" impact analysis, rather than the "plan to plan" analysis that is suggested by the commenter. When compared to existing conditions, the General Plan Update would result in a substantial amount of additional housing units, rather than a reduction in housing. No revisions were made to the DEIR in response to this comment.

- G3-28      The County disagrees that the General Plan Update overlooks foreseeable obstacles to growth and does not accommodate a reasonable share of population growth. As discussed in responses to comments G3-6, G3-8, G3-9, G3-13, and G3-15, the



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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

General Plan Update land use designations were determined based on existing environmental and infrastructure constraints to development. Therefore, the General Plan Update does not overlook foreseeable obstacles. Additionally, the General Plan Update is consistent with the RCP and would accommodate a reasonable share of regional growth. Refer to response to comment G3-25 for additional information. No revisions to the DEIR are required in response to this comment.

- G3-29 The County does not agree with this comment, which speculates that community groups will assert that higher density development would not be consistent with their community character, and therefore the land use densities proposed in the General Plan Update will not be achieved. As stated in DEIR Section 1.6, Summary of Proposed Project Components, updates to all community and subregional plans are part of the proposed project and included in the DEIR analysis. CEQA Guidelines Section 15126 states: "All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation." Consistent with this guideline, the DEIR analysis of project impacts includes the updates to the community plans, which are a component of the proposed project. Section 1.8.1, Community Plan Updates, of the DEIR also states: "Under the proposed project, existing community plans would be updated for consistency with the General Plan Update elements by removing outdated policies, goals, conditions, and any information that is inconsistent with the updated General Plan." Therefore, updated community plans must be consistent with the proposed project's designated land use densities. Community plans establish more specific guidelines as to how the General Plan Update policies may be implemented within each community and would not result in a change in the amount of development that may be accommodated within a community. No revisions to the DEIR have been made in response to this comment.

This comment also refers to the opinions of the Valley Center Community Planning Group that were provided in their DEIR comment letter. See comment letter C14 for the County's responses to the Valley Center Community Planning Group comment letter.

- G3-30 The County agrees that the DEIR does not provide a parcel by parcel analysis. Such an analysis would not be appropriate for inclusion in the DEIR. CEQA Guidelines Section 15146 states "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR". The DEIR is a programmatic document that evaluates land uses on a County-wide level. For this reason, it is not required or appropriate for the DEIR to provide a parcel by parcel development capacity analysis.

The County agrees that the DEIR addresses the full build-out of the proposed project in order to analyze the environmental impacts of the proposed project. CEQA Guidelines Section 15126 states: "All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation." This includes both short-term and long-term impacts of the project. In order to fully analyze and identify impacts resulting from the proposed project, the DEIR assumes that all land uses proposed under the General Plan Update would be

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- developed by 2030. In reality, full-build out of the proposed project may not occur by the year 2030; however, the impacts of full build out of the General Plan Update have been accounted for in the DEIR. No revisions to the DEIR have been made in response to this comment.
- G3-31 The County disagrees with the comment. Section 1.3, Project Objectives, of the DEIR identifies Project Objective 3 which is to “Reinforce the vitality, local economy, and individual character of existing communities while balancing housing, employment, and recreational opportunities”. This objective is supported by the discussion of employment growth in DEIR Section 3.1.2, Employment Growth, in the context of the project’s growth inducing impacts. As stated in this section, “The General Plan Update would accommodate new commercial, industrial, and other development that would create new sources of employment... Increased industrial, commercial, and residential development typically generates a secondary or indirect demand for other services, such as groceries, entertainment, and medical services that will stimulate economic activity... In addition, employees to fill those [new] job positions would create an increased demand for housing in the region.” However, economic considerations are not appropriate for consideration in the EIR. As stated in CEQA Guidelines 15131(a), the analysis contained within an EIR shall focus on physical changes that may be caused by a project. As such, no economic analysis of the General Plan Update was included in the DEIR. No revisions were made to the DEIR based on this comment.
- G3-32 The County disagrees that the application of policies contained in the General Plan Update will be deferred to the community and subregional plans. Section 2.9.2.2, Local [Regulations], of the DEIR under the heading, Community and Subregional Plans, states: “The policies and programs contained in a community or subregional plan, which must be consistent with the General Plan, are intended to provide long-term guidance and stability in implementing the goals of the plan.” Updated community plans must be consistent with the proposed project. The General Plan Update, if adopted, would serve as the land use policy framework for the entire unincorporated County. The General Plan Update provides programmatic guidelines for development in the entire unincorporated County and allows community plans to establish specific guidelines to implement the policies of the General Plan Update that are appropriate for their community. All future development in the unincorporated County would be required to comply with the policies of the General Plan Update, in addition to those identified in the applicable community plan. Therefore, the General Plan Update does not defer implementation of its policies. No revisions were made to the DEIR based on this comment. Refer to response to comment G3-29 for additional information.
- G3-33 The County disagrees with this comment. Updated community plans are included as a project component of the General Plan Update and analyzed as part of the DEIR. The draft updated community and subregional plans were circulated for public review and comment during the same time period and at the same public locations as the revised Draft General Plan Update and DEIR, including electronically at <http://www.sdcounty.ca.gov/dplu/gpupdate/draftgp.html#CommunityandSubregionalPlans>.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- The relationship between the community plan updates and the implementation of the General Plan Update policies can be determined by reviewing these publicly available documents. Refer to responses to comments G3-32 and G3-29 for additional information on consistency between the General Plan Update and Updated Community Plans. No revisions were made to the DEIR based on this comment.
- G3-34 The County agrees that the General Plan Update policies are the foundation for the DEIR project description. However, the County does not agree that the DEIR project description is called into question because the General Plan Update policies are “neutralized”. As discussed in the responses to comments G3-29 and G3-32, all future development in the unincorporated County would be required to comply with the policies of the General Plan Update. Community plans may provide more specific guidelines to implement the General Plan Update policies in each community. Therefore, the General Plan Update policies are not neutralized. No revisions to the DEIR, including the project description, are required in response to this comment.
- G3-35 The County disagrees that the DEIR should analyze the impacts of not implementing the General Plan Update policies as part of the proposed project impact analysis. CEQA Guidelines Section 15126 states: “All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation.” Therefore, the General Plan Update policies, as part of the proposed project, must be analyzed in the DEIR. However, DEIR Section 4.5, Analysis of the No Project Alternative, does analyze the impacts of not implementing the policies proposed by the General Plan Update. This section addresses the following issue areas: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems and climate change. Therefore, no revisions to the DEIR were made based upon this comment.
- G3-36 The County disagrees that the DEIR does not present adequate evidence to support its use of a variety of baselines. The use of a variety of baselines is consistent with CEQA. As stated in DEIR Section 1.5, Environmental Setting:
- “According to Section 15125 of the CEQA Guidelines, an EIR must include a description of the existing physical environmental conditions in the vicinity of the proposed project to provide the “baseline condition” against which project-related impacts are compared. Normally, the baseline condition is the physical condition that exists when the NOP is published. The NOP for the General Plan Update EIR was published on April 28, 2008. However, the CEQA Guidelines and applicable case law recognize that the date for establishing an environmental baseline cannot be rigid. Physical environmental conditions vary over a range of time periods; thus the use of environmental baselines that differ from the date of the NOP is reasonable and appropriate when conducting the environmental analysis. The environmental topic sections rely on a variety of data to establish an applicable baseline. In sections such as agricultural resources, biological resources, cultural resources, mineral resources, and population and housing, available data was months and sometimes

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

several years old and, therefore, assumptions in how those conditions might have changed since the data was prepared are also discussed. The environmental setting for each environmental issue is explained in the beginning of each section of Chapter 2.0 and in the corresponding technical reports.”

The use of different baselines is consistent with CEQA, as described above. With regard to the court cases referenced by the commenter, in the first case, *Save Our Peninsular Comm. v. Monterey County Bd. of Supervisors*, the court found a project EIR to be inadequate because the baseline used to determine water usage for the project was inaccurate. This court decision established the legal need to use valid, acceptable data for the baseline analysis. The General Plan Update DEIR is consistent with the ruling in this case. In the second case, *Fat v. the County of Sacramento*, the sole issue was whether the County abused its discretion in using the physical conditions that existed in 1997 as the baseline for a 2002 project. In this decision, the court found in favor of the County and determined the County proceeded in the manner required by law. Again, the General Plan Update DEIR is consistent with the ruling in this case. As such, no changes to the DEIR were made in reference to this case.

- G3-37 The County agrees that the establishment of an appropriate baseline is critical to the environmental review process. The court case, *County of Amador v. El Dorado County Water Agency*, found an EIR inadequate because it failed to adequately describe the baseline environment. The case is not applicable with the General Plan Update DEIR because it does adequately describe the baseline environment. For the purposes of clarity, the County has prepared a new table identifying the selected baseline for each environmental topic addressed in the DEIR (see Table 1-13 in Chapter 1.0 of the DEIR). This information was compiled from the individual DEIR sections in Chapter 2.0, Environmental Effects of the Proposed Project. Refer to response to comment G3-36 for additional information on the discussion of baseline within the DEIR.
- G3-38 The County agrees with the statement that agriculture currently thrives in the western areas of the County; however, the County disagrees that agriculture is difficult and would likely not be viable in the eastern areas of the County. This statement is incorrect. As shown in DEIR Figure 2.2-2, County Identified Agricultural Lands, the majority of existing agricultural grazing operations are located outside of the SDCWA boundary in the eastern portion of the County. As identified in DEIR Figure 2.2-6, Agricultural Preserves and Williamson Act Contract Lands, the majority of preserves and Williamson Act contract lands are located outside of the SDCWA boundary. Additionally, as identified in DEIR Figure 2.2-7, Agricultural Zoning Map, the majority of land within the SDCWA boundary that is zoned for agriculture is “Limited Agriculture”, while the majority of land outside the SDCWA boundary that is zoned for agriculture is “General Agriculture.” Therefore, viable agriculture currently takes place in the eastern portion of the County outside of the SDCWA boundary and the opportunity for additional viable agriculture exists.

In addition, the County does not agree that the project would direct agricultural uses into the eastern portion of the County. DEIR Section 2.2.3.2, Issue 2: Land Use

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Conflicts, under the heading Agricultural Zoning states “Under existing conditions, no zoning designation exclusively regulates agricultural operations. This would also be true with implementation of the proposed General Plan Update. No exclusive land use designation to regulate or restrict the location of agricultural operations is proposed and agricultural operations would be allowed in every area of the County under the proposed project.” The General Plan Update would allow agricultural operations to occur in any area of the unincorporated County, similar to existing conditions.

The DEIR acknowledges that additional development within the unincorporated County would result in a significant impact to agricultural resources. As discussed under the Impact Analysis and Summary headings of Section 2.2.3.1, Issue 1: Direct Conversion of Agricultural Resources, all land uses proposed under the General Plan Update would have the potential to result in a loss of agricultural resources. The conservative analysis of impacts provided in the DEIR determined that implementation of the proposed General Plan Update would result in the direct conversion of 55,963 acres of agricultural resources to non-agricultural land uses and a significant impact would occur. The mitigation measures identified in DEIR Section 2.2.6.1, Issue 1: Conversion of Agricultural Resources, would reduce impacts, but not to below a significant level.

- G3-39 The County does not agree that the General Plan Update would result in the loss of all economically viable uses from all land located in the eastern areas of the unincorporated County because density would be reduced on some properties. However, the potential exists for changes to community character to result in some communities as a result in a change in the land use designations proposed by the General Plan Update. These impacts would be mitigated through implementation of the General Plan Update policies related to aesthetics and community character, as well as mitigation measures identified in DEIR Section 2.1.6.3, Issue 3: Visual Character or Quality.

The County does not agree that potential socio-economic impacts must be addressed in the DEIR. Pursuant to Section 15131 of the State CEQA Guidelines, the economic or social effects (socioeconomic impacts) of a project shall not be treated as significant effects on the environment. See also responses to comments I2-1, I2-3, and I2-4.

- G3-40 The County agrees with the comment, which correctly summarizes mitigation measures support conservation subdivision design from the DEIR and policies from the General Plan Update Land Use Element. This comment does not raise a significant environmental issue for which a response is required.

- G3-41 The County does not agree that conservation subdivision policies and mitigation measures are in conflict with Land Use Element Policy LU-14.4, Sewer Facilities, because the County also does not agree that conservation subdivisions are only feasible where sewer is available. The County agrees that conservation subdivisions would normally require sewer or alternative septic systems in areas with land use densities of Semi-Rural 1 (one dwelling unit per acre) or higher, but sewer would not

## Responses to Letter G 3, Building Industry Association (BIA) (cont.)

be required in areas with densities of Semi-Rural 2 (one dwelling unit per two acres) or lower. Therefore conservation subdivisions would be feasible in most of the Semi-Rural and all of the Rural Lands Regional Categories. The proposed project would allocate nearly 89 percent of all privately-owned lands under these two Regional Categories.

It should also be noted that Policy LU-14.4 has been revised as follows:

**LU-14.4 Sewer Facilities.** Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond either Village boundaries (or extant Urban Limit Lines), whichever is more restrictive, except:

- ~~When~~ When necessary for public health, safety, or welfare.
- When within existing sewer district boundaries; or
- Where specifically allowed in the Community Plan.

G3-42 As discussed in the response to comment G3-41, the County recognizes that there may be limitations to implementing the Conservation Subdivision Program (CSP) on some lands with densities of one dwelling unit per acre or greater; however, generally, there are less environmental constraints to avoid, or agricultural lands to protect, on lands that have been assigned these densities, as compared to lands where lower densities are assigned.

G3-43 The County agrees with the information provided in this comment, which was obtained from DEIR Section 2.16.3.1, Issue 1: Wastewater Treatment Requirements. This comment does not raise a significant environmental issue for which a response is required.

G3-44 Please see response to comment G3-41 above.

G3-45 The County disagrees with the comment. Reliance on septic systems in the backcountry as a constraint to development was considered when developing the land use framework for the General Plan Update. Instead of designating the backcountry for higher density development and allowing septic systems and other constraints to later limit development, the DEIR considered this constraint during development of the land use framework so that the designated General Plan Update land uses could realistically be developed to accommodate the future population growth forecasted for the unincorporated County.

G3-46 The County disagrees that the DEIR does not provide sufficient evidence to conclude that the General Plan Update would result in significant and unavoidable impacts to biological resources. The basis for a determination of significant and unavoidable impacts is provided in Section 2.4.6.1, Issue 1: Special Status Species, which states that implementation of the General Plan Update would allow land uses and development to occur in areas outside of an adopted regional conservation plan,

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

thereby resulting in direct, indirect, and cumulative impacts to sensitive plant and animal species, as well as riparian habitat, other sensitive natural communities, wildlife movement corridors and nursery sites. The only way to ensure that biological resources impacts are mitigated to below a level of significance is to establish and adopt a regional conservation plan.

The County's Multiple Species Conservation Program (MSCP) is the applicable regional conservation plan for the unincorporated County. DEIR Figure 2.1-1, San Diego County MSCP, identifies the boundaries of the three MSCP Plan areas: North County, East County and South County. The only adopted regional conservation plan within the County's jurisdiction is the South County Subarea Plan, which covers 252,132 acres in the southwestern portion of the unincorporated area, or approximately 11 percent of the total unincorporated County. The majority of land within the jurisdiction of the County is located in an area covered by either the draft North County Plan or draft East County Plan. Neither of these plans is currently adopted; therefore, the majority of the land in the County is located in an area outside of an adopted regional conservation plan. The County cannot rely on the draft North County or East County MSCP documents to mitigate the proposed project's impacts because they are not currently approved plans, and will likely require additional modification from applicable Federal and State agencies prior to adoption. It should be noted that under MSCP Plans, impacts resulting from ministerial permits can also be accounted for and mitigated via achievement of program goals (e.g., acquisitions, restoration, management, monitoring, etc.). It is this additional assurance that would reduce impacts associated with the General Plan Update to a level below significance. Therefore, until these plans are adopted and receive all necessary approvals from federal and State agencies, impacts would be considered significant and unavoidable. See also responses to comments I57-19, I57-44 and I57-46.

- G3-47 The County agrees that the conclusions reached in the South County MSCP EIR and the U.S. Forest Service environmental analysis are different than those reached in the General Plan Update DEIR. The environmental documents for the South County MSCP and U.S. Forest Service lands cover a different project area than that proposed under the General Plan Update. For example, the South County MSCP covers 11 percent of the unincorporated County. Please refer to response to comment G3-46 for additional information on the South County MSCP. Additionally, federally-owned lands, such as U.S. Forest Service lands, encompass 591,930 acres of the unincorporated County, or approximately 25 percent of the unincorporated County (see DEIR Section 2.14.1.2, Recreational Facilities Managed by Other Entities (Non-County)). It is reasonable to assume that projects with different study areas would result in different conclusions with respect to environmental impacts. As discussed in response to comment G3-46, the reason that the DEIR identified significant and unavoidable biological resources impacts is because implementation of the General Plan Update would allow land uses and development to occur in areas outside of an adopted regional conservation plan. Refer to this response for more information.



**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Additionally, the County does not agree that the DEIR conflicts with the intent of the National Communities Conservation Plan (NCCP). The County MSCP is the applicable NCCP in the unincorporated area. The County has adopted the South County MSCP and is in the process of preparing the plans for North and East County. Please also refer to response to comment G3-46 for additional information on the MSCP. In addition, refer to DEIR Section 2.4.3.4, Issue 5: Local Policies and Ordinances, and DEIR Section 2.4.3.5, Issue 6: Habitat Conservation Plans and NCCPs, regarding the proposed project's consistency with applicable plans and policies, including the adopted MSCP South County Subarea Plan, SDG&E Company Subregional Plan, Sweetwater River HCP, and Coastal Sage Scrub NCCP Process Guidelines. As discussed in these sections, future projects proposed under the General Plan Update would be required to comply with applicable local policies and ordinances, habitat conservation plans, and NCCPs. Regulatory processes to ensure compliance are already in place and would not be impacted by the General Plan Update. Therefore, no potentially significant impacts associated with conflicts with local policies and ordinances, HCPs, and NCCPs would occur.

G3-48 The County disagrees with this comment. Refer to responses to comments G3-46 and G3-47 above. The reason that the DEIR identified significant and unavoidable biological resources impacts is because implementation of the General Plan Update would allow land uses and development to occur in areas outside of an adopted regional conservation plan. The County cannot rely on the draft North County or East County MSCP documents to mitigate the proposed project's impacts because they are not currently approved plans. Therefore, until these plans are adopted and receive all necessary approvals from federal and State agencies, impacts would be significant and unavoidable.

G3-49 The County disagrees that the DEIR requires clarification regarding whether or not the "hot spots" analysis took into account segments that would operate at a Level of Service (LOS) E or F. As stated in DEIR Section 2.3.3.2, Issue 2: Air Quality Violations:

"To evaluate the potential for growth anticipated under in the General Plan Update to result in CO "hot spots," a review of the CO "hot spots" analysis conducted by the South Coast Air Quality Management District (SCAQMD) as part of their request to the USEPA for redesignation as a CO attainment area is hereby incorporated by reference... In support of its redesignation request, the South Coast Air Quality Management District (SCAQMD 2003) modeled the four most congested intersections identified in the air basin to demonstrate that no exceedances of the CO standard would occur ... As shown in Appendix G of this EIR, the County of San Diego Traffic and Circulation Assessment, none of the roadways/segments identified as deficient facilities (i.e., level of service (LOS) E or F) for the cumulative scenario (i.e., worst case traffic) in the assessment have an average daily trip volumes greater than 100,000, which was the amount of traffic anticipated for the intersection of Wilshire Boulevard and Veteran Avenue (the most congested intersection in Los Angeles County)."

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Therefore, the DEIR “hot spots” analysis did consider segments that would operate at a LOS E/F, and this information is included in the DEIR. No revisions to the DEIR were made in response to this comment.

- G3-50 The County disagrees with the comment, which requests that the DEIR explain how requiring development to be compatible with existing community character would reduce impacts from wildfires. This statement is not found anywhere in DEIR. It is assumed that the commenter is referring to the inclusion of General Plan Update Policy LU-11.2 as mitigation in Section 2.7.6.8, Issue 8: Wildland Fires. This policy was included in this section as an error. This policy has been replaced with the correct policy, Policy LU-10.2, Development-Environmental Resource Relationship, as identified in the Impact Analysis discussion in DEIR Section 2.7.3.8, Issue 8: Wildland Fires.
- G3-51 The County agrees that the DEIR does not state how specific community plan policies or how the Conservation Subdivision Program sections relate to wildfire or hazard risks. The DEIR analyzes the General Plan Update and all its various project components. No wildland fire or other hazard impacts were identified with regard to the Community Plan policies or the proposed Conservation Subdivision Program. Therefore, these particular components were not discussed in the impacts section under “Hazards” in the DEIR.
- G3-52 The County disagrees with this comment. The DEIR utilized the most recent information available on or around April 2008, which is the when the Notice of Preparation was circulated for public review. For some information in DEIR Section 2.12.1, Existing Conditions, such as demographic data obtained from the U.S. Census Bureau, the most recent information available is from the 2000 Census. It is assumed that the commenter is referring to this information. Census Bureau data provides the most recent comprehensive information available regarding certain issues, such as households with residents with special needs. No update for this information was available as of April 2008. Additionally, while this information is intended to present a comprehensive picture of existing conditions in the County, it was not utilized in the environmental analysis. The environmental analysis for population growth (Section 2.12.3.1 of the DEIR) utilized information from SANDAG and the Department of Finance made available in 2008. Therefore, no revisions to the DEIR were made in response to this comment.
- G3-53 The County disagrees with this comment because this information is already presented in the DEIR. The 12 percent increase in housing stock referred to in the comment occurred between 1990 and 2000, and is provided in Table 2.12-8, Housing Unit Trends: 1990-2010. The corresponding growth in population between 1990 and 2000 is provided in Table 2.12-1, Population Trends: 1990 - 2007. As identified in this table, the population of the unincorporated area increased 11 percent from 1990 to 2000, and San Diego County as a whole increased 13 percent during this same time period. Therefore, no revisions were made to the DEIR in response to this comment.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-54 The County agrees that the RHNA time period of 2005 – 2010 should be identified in Section 2.12, Population and Housing, in the DEIR. This time period has been added to Section 2.12.2.2, State [Regulations], for clarification purposes only.
- G3-55 The County disagrees that the DEIR statement that the County is subject to severe environmental constraints is misleading because of the broad definition of sensitive habitat. The DEIR defines sensitive habitat in the discussion of the Resource Protection Ordinance (RPO) in Section 2.4.2.3, Local [regulations pertaining to biological resources]. Sensitive habitat lands are defined in the County RPO as unique vegetation communities and/or the habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. The sensitive habitats identified by the County are consistent with the habitats identified in Section 2.1.1, Vegetative Communities, of the Multiple Species Conservation Program (MSCP). Due to the programmatic nature of the DEIR, no surveying was done to determine whether or not potentially sensitive habitats support sensitive species. Therefore, it is assumed that all habitats with the potential to support sensitive species are sensitive habitats. However, designation of a habitat as sensitive does not preclude development in the sensitive habitat area. Rather, future development would be required to identify impacts to sensitive habitats and implement appropriate mitigation measures, consistent with CEQA and the MSCP.
- G3-56 The County disagrees with the comment and maintains the determination that chaparral is a sensitive habitat. Refer to response to comment G3-55 for the definition of sensitive habitats. The acreage of a habitat type does not determine whether or not a habitat is sensitive. As discussed under the Impact Analysis heading in DEIR Section 2.4.3.1, Issue 1: Special Status Plant and Wildlife Species, chaparral can support the following sensitive species: Dehesa nolana, Del Mar manzanita, Encinitas baccharis, Mexican flannelbush, Mojave tarplant, Nevin's Barberry, Orcutt's chorizanthe, San Diego ambrosia, San Diego button celery, San Diego Thornmint, Short leaved dudleya, Spreading navarretia, and Quino checkerspot butterfly. Therefore, because it can support sensitive species, chaparral is considered to be a sensitive habitat, consistent with the definition provided in response to comment G3-55. Additionally, as stated in DEIR Section 2.4.3.1, even though chaparral is one of the most abundant habitats in the County, it would also be the most heavily impacted by future development under the General Plan Update. See also response to comment I57-29.
- G3-57 The County disagrees with the comment, which speculates that the vast majority of sensitive habitat does not support any endangered species. Refer to response to comment G3-55. Due to the programmatic nature of the DEIR, no surveying was done to determine whether or not potentially sensitive habitats supported sensitive species. Therefore, as a conservative approach, it is assumed that all habitats with the potential to support sensitive species are sensitive habitats. However, designation of a habitat as sensitive does not preclude development in the sensitive habitat area. Rather, future development would be required to identify impacts to sensitive habitats and implement appropriate mitigation measures, consistent with CEQA and the MSCP.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

G3-58 The County disagrees with the comment. Please refer to responses to comments G3-55 through G3-57 above. As discussed in response to comment G3-55, the designation of a habitat type as sensitive does not preclude development in the sensitive habitat area. Future development would be required to identify impacts to sensitive habitats and implement appropriate mitigation measures, consistent with CEQA and the MSCP. If no sensitive species exist on a site with sensitive habitat, then the mitigation requirements would not be as intensive as if the species was identified onsite. Therefore, the designation of sensitive habitats does not automatically put limits on planning. Furthermore, the DEIR does acknowledge that the approach to biological impacts is conservative, and assumes full-build out of the proposed project. The assumptions used to determine biological resources impacts from the proposed project are identified under the Impact Analysis heading in the DEIR sections: Section 2.4.3.1, Issue 1: Special Status Plant and Wildlife Species; Section 2.4.3.2, Issue 2: Riparian Habitat and Other Sensitive Natural Communities; and Section 2.4.3.3, Issue 3: Federally Protected Wetlands.

G3-59 The County disagrees that a jobs-housing balance should be analyzed in the DEIR in order to determine whether the General Plan Update is a balanced plan. A jobs-housing balance is a socioeconomic consideration that is outside the scope of the DEIR. As stated in Section 15131 of the State CEQA Guidelines, economic or social effects of a project shall not be treated as significant effects on the environment. However, both existing and forecasted housing and employment information is included in the DEIR. DEIR Section 2.12.1.2, Household Profile, under the heading Household Type and Size states: "The unincorporated area has 143,871 households in 2000, representing a 13 percent increase from 1990. Based on U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) dataset (HUD 2006) and SANDAG Data Warehouse, 2010 Forecast (SANDAG 2008c), the unincorporated area is forecasted to have 163,272 households by 2010." DEIR Section 2.12.1.5, Employment, states: "The employment base in the San Diego region is forecasted to increase another eight percent between 2007 and 2014 while population is forecasted to increase by 14 percent from 2000 to 2010 and by 11 percent from 2010 to 2020." As such, no revisions were made to the DEIR.

Additionally, the purpose of an EIR is not to determine whether a proposed planning document is a balanced plan. The purpose of an EIR is to determine the potential environmental impacts of a project, as it is proposed. As stated in Section 15131 of the CEQA Guidelines, public agencies shall consider economic and social factors in deciding whether changes to a project are feasible to reduce impacts identified in an EIR. This information does not need to be contained in an EIR but shall be provided to the lead agency to consider before making a decision on the project. The DEIR fully analyzes the potential environmental impacts to traffic (Section 2.15), air quality (Section 2.3), and global climate change (Section 2.17) that would result from the buildout of the General Plan Update proposed land uses. This includes the associated vehicle trips, State and federal criteria pollutant emissions, and greenhouse gas emissions from residential, commercial and industrial uses that would result from implementation of the General Plan Update. Therefore, no changes the DEIR were made as a result of this comment.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-60 The County disagrees with the comment. The existing population in the unincorporated County would not be redistributed as a result of the General Plan Update. The General Plan Update would guide future development in the unincorporated County. Additionally, the General Plan Update would not result in a reduction in housing choice. The General Plan Update would accommodate high, medium, and low density residential land uses. No revisions to the DEIR were made as a result of this comment.
- G3-61 The County disagrees with the comment, in which the commenter misinterprets the General Plan Update land use framework. The General Plan Update proposes greater growth in the western portion of the County, but this growth would take place in the unincorporated area, not in any incorporated city. The General Plan Update is a plan to accommodate forecasted growth in the unincorporated County by concentrating it in the western portion of the unincorporated County where this development can be supported. As discussed in DEIR Section 1.7.1.1, Land Use discusses how the General Plan Update addressed the competition for land in the county in meeting housing, commerce, agriculture, recreation, and wildlife habitat needs by developing a land use map that favors more efficient development by accommodating more residential growth on less land in the western community planning areas and subregions. By establishing a land use framework that accurately reflects actual constraints to development, the General Plan Update would avoid the scenario depicted by the commenter, in which growth forecasted for the unincorporated County cannot be accommodated and is redistributed in the nearby cities instead.
- G3-62 The County agrees that when compared to the No Project Alternative, the proposed project would result in approximately 3,000 additional acres of village residential land use designations, as shown in Table 4-1, Comparison of Alternatives – Countywide Land Use Distribution in Acres. However, the County disagrees that information was not provided in the DEIR regarding growth in village and semi-rural residential areas. Table 1-1, Land Use Designation Distribution for General Plan Update, identifies that 38,819 acres of village residential and 216,492 acres of semi-rural residential land uses would be designated across the unincorporated County under the proposed project. New growth would be accommodated in areas designated for both the village and semi-rural residential land uses. Total housing per CPA/Subregion is identified in Table 1-3, Anticipated Increase in Housing Units 2008-Build-Out Under General Plan Update, including the percent change in housing units for each CPA/Subregion. Therefore, the General Plan Update provides adequate information to analyze the potential environmental impacts of full buildout of the proposed land use plan, including village and semi-rural residential uses. No revisions to the DEIR were required in response to this comment.
- G3-63 The County disagrees with this comment, which requests the DEIR provide a plan-to-plan analysis comparing the existing General Plan to the General Plan Update. The DEIR analyzes the potential impacts of the General Plan Update compared to existing conditions, pursuant to Section 15125 of the CEQA Guidelines, which requires an EIR to establish an environmental setting based on existing conditions at the time the NOP is published to serve as the baseline to determine whether an

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- impact is significant. Compared to the existing condition, the General Plan Update would not reduce population or housing. However, the existing General Plan is analyzed as the No Project Alternative in Section 4.5 of the DEIR, Analysis of the No Project Alternative. Refer to this section for a comparison of population and housing impacts between the existing General Plan and General Plan Update. As described in this section, the existing General Plan would generally result in greater environmental impacts compared to the proposed General Plan Update because the existing General Plan would accommodate greater development. Additionally, refer to responses to comments G3-15 and G3-25. The General Plan Update would accommodate its fair share of regional growth. Therefore, the DEIR adequately addresses impacts associated with housing capacity and no revisions to the DEIR are necessary in response to this comment.
- G3-64 This comment repeats the request made in comment G3-59 to include an analysis of jobs-housing balance in the DEIR. This is a socioeconomic consideration that is outside the scope of the DEIR. However, both existing and forecasted housing and employment information is included in the DEIR. Refer to responses to comments G3-39 and G3-59 for additional information.
- G3-65 The County disagrees with the comment. The intent of Policy H-2.2, Projects with Open Space Amenities in Villages, is to improve the overall quality of life for persons living in higher density multi-family developments through the provision of amenities and common open space areas for use by those residents. The amenities and open space areas would be associated with private development and would not be required to be open to the public. Therefore, on-site common open space would not be considered a public recreational facility any more than the private yard of a single family residence would be in a semi-rural area.
- G3-66 The County disagrees with the comment. The mitigation measures that the commenter is referring to are General Plan Update Policies M-12.7, Funding for Trails, and COS-24.2, Funding Opportunities. A plan for attaining funding is established in mitigation measure Rec-1.5 in Section 2.14.6.1, Issue 1: Deterioration of Parks and Recreational Facilities. Therefore, a plan for seeking and maximizing funding would be established through the implementation of mitigation measure Rec-1.5 and no revision to the DEIR is required in response to this comment.
- G3-67 The County agrees that the General Plan Update encourages urban growth boundaries, particularly in community plans. Chapter 1, Introduction, of the General Plan Update, page 1-11, states: "When updating Community Plans, communities are encouraged to delineate areas within their plans that will assist with the future planning of developments, infrastructure, facilities, and regulations. An Urban Limit Line and/or Village Boundary may be defined in the Community Plan as a community-specific growth boundary that identifies an area to which higher intensity development (normally Village Regional Category) should be directed. These boundaries may also serve as the basis for community specific goals and policies." Greenbelt areas identified in Community Plans will not prohibit development unless they include preserves or open space. Otherwise, development will still be allowed for the uses and densities identified by the General Plan. Consistent with CEQA

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Guidelines Section 15126, Consideration and Discussion of Environmental Impacts, all project components of the General Plan Update, including this land use planning strategy, were analyzed for indirect and direct environmental impacts in Chapter 2.0, Environmental Effects of the Proposed Project, of the DEIR. Therefore, no revisions to the DEIR were made based upon this comment.

- G3-68 The County does not agree that the information used in the DEIR traffic model is outdated. The Series 10 and 11 have the same horizon year: 2030 and are both consistent with the existing General Plan land use designations and Circulation Element road classifications for the incorporated jurisdictions in the County.

In addition, the DEIR traffic model has been calibrated to reflect actual conditions in the unincorporated County that were ultimately added to the Series 11 forecast data. Each calibration iteration of the traffic model built upon the previous iteration's model calibration effort. Thus the County roads have been calibrated several times over the various iterations. Also, every County Mobility Element road, along with critical local public roads, were addressed during model calibration, rather than just the freeways and highways as is the case with the regional model for the Regional Transportation Plan (RTP). Three iterations of the model were originally created in the late 1990 in Series 9. Around 2004 the County General Plan Update model migrated to the Series 10 growth forecast. In 2007 the fifth iteration updated the model to reflect the 2007 Reasonably Expected Revenue scenario of the RTP.

- G3-69 The County acknowledges that, with the exception of Road 3A that was added to the Proposed Project and Cumulative alternatives, the same road network was used to analyze all four General Plan Update land use alternatives and the Cumulative Impacts scenario. The purpose of using one network was to compare how the General Plan Update alternative performed against a single network. The other road networks analyzed include the existing Circulation Element network and the existing built road network.

The comment further states that Road 3A was not adequately described in the DEIR. To clarify what road 3A is, an errata sheet has been added to Appendix G: Traffic and Circulation Assessment which adds the following sentence to the end of the "County Roads" paragraph on page 10 of the appendix:

"Road 3A is a two-lane Light Collector road which traverses from Old Highway 395 to West Lilac Road in the Valley Center Community Planning Area."

- G3-70 This comment states that no alternatives were studied to relieve traffic deficiencies, such as alternate parallel routes. Many alternatives were evaluated during the planning process which determined the Board-Endorsed Network. These alternatives are described in Attachment D of the report to the August 2, 2006 Board of Supervisors hearing concerning proposed changes to the Circulation Element Road Network. This report is located on the County website at [http://www.sdcountry.ca.gov/dplu/docs/pc\\_jul06\\_d.pdf](http://www.sdcountry.ca.gov/dplu/docs/pc_jul06_d.pdf). In addition, the network that is ultimately adopted will be based on a number of factors, such as the DEIR analysis, community consensus and the adopted land use map.



## Responses to Letter G 3, Building Industry Association (BIA) (cont.)

G3-71 The County disagrees that mitigation measure Aes-3.1 and General Plan Update Policy LU-12.4, Planning for Compatibility, are inconsistent with the DEIR conclusion that in some cases improving roadway operations would result in impacts to community character. Policy LU-12.4, Planning for Compatibility, and mitigation measure Aes-3.1 establish a planning framework for the unincorporated County that requires infrastructure and development to be compatible with community character. This should not be confused with Appendix I, Impacted Roadway Segments and Support Rationale for LOS E/F Level Acceptance, and DEIR Section 2.15.6.1, Unincorporated County Traffic and LOS Standards, which identify projected failing roadway segments under 2030 build-out conditions of the General Plan Update. As discussed in these sections, some roads may be exempted from County LOS standards when widening the road would obstruct pedestrian movements, impede the economic vitality of existing/planned businesses, require the demolition of historic structures, or negatively alter the overall character of the area. Thus, some roads may be deemed acceptable with an LOS E/F because improvements to these roadways would conflict with the principles contained in General Plan Update Policy LU-12.4, Planning for Compatibility, and mitigation measure Aes-3.1. Therefore, the DEIR is consistent in its approach. No revisions were made to the DEIR based on this comment.

G3-72 This comment states that the criterion for allowing failing LOS for road segments is based on the argument that widening the roadways would attract additional regional traffic volumes from parallel road is not supported by evidence. This criterion is based on General Plan Update traffic model forecasts resulting from the planning process to develop the Board-Endorsed Road Network, which was analyzed in the DEIR. These results were discussed in the report to the August 2, 2006 Board of Supervisors hearing (located on the County website at [http://www.sdcountry.ca.gov/dplu/docs/pc\\_jul06\\_d.pdf](http://www.sdcountry.ca.gov/dplu/docs/pc_jul06_d.pdf)) concerning proposed changes to the Circulation Element Road Network:

"Original traffic modeling tests, which used only Caltrans road improvements in the SANDAG 2030 Regional Transportation Plan (Reasonably Expected Scenario), demonstrated that additional Caltrans road improvements will be needed to balance the County's road network. Specifically in North County, substantial upgrades to I-15 from Riverside County to SR-78 will be needed by 2030 to I-15 to avoid overflow onto County roads. Other affected communities include Lakeside (SR-67) and Valle de Oro (SR-94)."

G3-73 The following language was added to DEIR Section 12.15.3.1 under the heading "Proposed General Plan Update Roadway Network", to clarify the road network that was used:

"The Mobility Element roadway network for the proposed General Plan Update is the Board of Supervisors endorsed roadway network."

This is the network that was endorsed to be studied by the Board as a result of the August 2, 2006 Board of Supervisors hearing concerning proposed changes to the Circulation Element Road Network.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-74 The County acknowledges that DEIR Appendix G, Traffic and Circulation Assessment, provides the draft General Plan Mobility Element classification number and the mitigated classification number. The number of lanes is easily discernable from this information because the first number in the classification number is the number of travel lanes.
- G3-75 The County disagrees with this comment that opportunities to mitigate impacts by reducing vehicle miles traveled (VMT) were overlooked. The following DEIR sections identify General Plan Update policies that assist in mitigating VMT and Average Daily Trips (ADT): Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, and Section 2.15.6.2: Issue 2: Adjacent Cities Traffic and LOS Standards. Specifically, the DEIR identifies the following General Plan Update policies which would reduce VMTs and ADTs: Policy LU-5.1, Reduction of Vehicle Trips within Communities; Policy LU-10.4, Commercial and Industrial Development; Policy LU-11.8, Permitted Secondary Uses; and Policy M-5.1, Regional Coordination. In addition to identifying policies that specifically reduce VMT and ADT, Section 2.15.6.5, Issue 5: Parking Capacity, and Section 2.15.6.6, Issue 6: Alternative Transportation, also include General Plan policies that promote alternative transportation which would indirectly reduce VMT and ADT. Specifically, the following General Plan Update policies promote multi-modal transportation: Policy M-8.6, Park and Ride Facilities; Policy LU-5.4, Planning Support; Policy LU-9.8, Village Connectivity and Compatibility with Adjoining Areas; Policy LU-11.6, Office Development; Policy M-8.2, Transit Service to Key Community Facilities and Services; Policy M-8.3, Transit Stops that Facilitate Ridership; and Policy M-9.2, Transportation Demand Management. However, the DEIR concludes that even with implementation of the proposed General Plan Update policies and mitigation measures, project-related impacts to traffic would remain significant and unavoidable.
- G3-76 The County does not agree with the assertion that Tecate land use plan will miss an opportunity to reduce vehicle miles traveled (VMT). The intent of the Tecate Sponsor Group Plan is to create a unique community that is integrated with Tecate Mexico rather than one planned without consideration of the existing and planned land uses on the Mexican side of the border. The Sponsor Group also seeks to create an economically viable plan that does not overburden the traffic load on SR-94. In developing the plan, the opportunity exists for commercial and industrial support uses within Tecate USA that would be focused entirely on the residents and businesses located in Tecate Mexico. Reduced vehicular miles are expected to occur by intercepting these Mexican commuters and shoppers, who would otherwise travel across the county to access jobs and services. This is re-enforced by the proposed policies in the Subregional Plan and will be further implemented by subsequent planning studies submitted as part of development proposals.

It is true that there is limited housing provided in Tecate USA as part of the plan update. Limited housing is proposed in Tecate USA precisely because the primary intent is to create business and industrial space that would be needed by and used in conjunction with activities taking place in Mexico. It is intended that most of the workforce and customers would come from Tecate Mexico. If additional housing,

## Responses to Letter G 3, Building Industry Association (BIA) (cont.)

beyond what is planned, is provided in Tecate USA there would be a public need to provide additional population-based facilities and services such as parks, schools, and other social services.

G3-77 This comment refers to the following statement, made in DEIR Section 2.15.1.1, Unincorporated County, under the heading Existing Roadway Network Performance:

“In general, a mix of land uses within closer proximity and requiring less driving distance for interaction would result in a lower VMT. Typically more dispersed and segregated (not mixed) land uses result in greater VMT.”

G3-78 The County acknowledges that a thorough analysis of land use alternatives and their corresponding vehicle miles traveled (VMT) must consider many factors, including the context relating land uses to traffic conditions and the overall size and make up of the population of an area. Although VMT is identified in the DEIR, the County acknowledges that the information has not been thoroughly analyzed. The County further contends that the CEQA Guidelines for Transportation and Traffic do not require this analysis. Rather, the Guidelines only require the County to analyze if the proposed County General Plan Update would:

- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); or
- Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways.

In DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the Projected Vehicle Miles of Travel heading, the following text has been added to convey that additional factors need to be considered for a thorough analysis:

“Any thorough analysis of this data also needs to consider additional factors, such as the associated population, which directly impacts the number of vehicles and vehicle trips.”

In addition, in order to avoid giving the appearance that VMT was thoroughly analyzed in the DEIR, the section discussing VMT of the subregions of the County was removed.

G3-79 The County agrees that greater analysis would be required to fully evaluate why the communities of north County Metro, Lakeside, Fallbrook, and Bonsall have the highest vehicle miles traveled (VMTs). The County contends that this analysis is not required for the General Plan Update as explained in the response to comment G3-78 above.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-80 The County disagrees that the DEIR should be revised to provide the context and explanation relating existing land uses to the existing travel conditions, as explained in the response to comment G3-78 above.
- G3-81 The statistic referred to in this comment was obtained from the National Center for Injury Prevention and Control and is based on a survey of rural locations throughout the nation. Thus, this statistic is not specific to the unincorporated County. As such, the County agrees with the comment that such a condition may not be true for all areas in the unincorporated County. Therefore, the County has deleted the following sentence in DEIR Section 2.15.1.1, Unincorporated County, under the heading Roadway Safety to provide additional clarification:
- "Approximately 75 percent of drivers involved in fatal crashes on rural roads are rural and small-town residents. Because of this fact, it can be assumed that the drivers in these crashes are generally familiar with the roads on which they are driving."
- G3-82 The County disagrees with this comment. DEIR Section 4.1.1, Alternatives Considered but Rejected, identifies an alternative that would construct a roadway network with sufficient capacity to result in every roadway segment operating at Level of Service (LOS) D or better. As described in this section under the heading Full Road Network Capacity Alternative, the alternative was rejected because it would substantially increase the majority of significant environmental impacts identified for the proposed project, with the exception of traffic. No revisions to the DEIR were made in response to this comment.
- G3-83 The County disagrees with this comment. Appendix G, Traffic and Circulation Assessment, of the DEIR provides an evaluation of the forecasted roadway network operations under implementation of the proposed project and project alternatives. This analysis incorporates the assumption that, in some cases, congested roadways cause drivers to seek alternative adjacent routes. Specifically, Section 2.3.2, Refinement and Application of Model Output, of Appendix G describes how this assumption was incorporated into the traffic forecast and model. Therefore, this issue is accounted for in the project traffic analysis provided in the DEIR, which is based on the Appendix G traffic and circulation assessment. No revisions to the DEIR were made in response to this comment.
- G3-84 This comment states that the General Plan Update goals and policies would reduce vehicle miles traveled (VMT) through prohibitions and limitations on office, commercial, and industrial land uses, although the comment does not cite any specific goals and policies. The County disagrees with this statement and is not aware of any such goals or policies. For example, policy LU-5.1 Reduction of Vehicle Trips within Communities would incorporate a mixture of land uses to support multi-modal transportation.
- G3-85 The assumed roadway classifications referred in Appendix G, Traffic and Circulation Assessment, were obtained from the SANDAG Regional model, consistent with each jurisdiction's individual Circulation Element. Therefore, the identified roadway deficiencies are due to high traffic volumes for the particular planned classification.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

G3-86 It can be assumed that County residents driving into the adjacent cities for work partially contributes to the referenced high traffic volumes. However, City residents driving into the County to work at newly developed commercial and industrial facilities would also partially contribute to the high volumes. County residents may also drive to the cities for entertainment, access to the regional airport, and a multitude of other reasons besides employment.

G3-87 The County disagrees that the General Plan Update does not provide employment lands near housing. Table 1-1, Land Use Designations Distribution for General Plan Update, provides an overview of the land uses proposed in each CPA and Subregion of the unincorporated County. The majority of CPAs and Subregions include some acreage of either office professional, commercial, or industrial land uses. These land uses would allow for the development of new employment opportunities. Additionally, the majority of CPAs and Subregions include some acreage of Village Residential, Semi-rural Residential, and Rural Lands land uses. These land uses would allow for the development of new housing. Thus the provision of employment lands near residences is already a component of the proposed project. Further, two project objectives for the General Plan Update include the consideration of adequate employment and housing for unincorporated communities. For example, Project Objective 2 is to promote sustainability by locating new development near existing infrastructure, services and jobs. Additionally, Project Objective 3 is to reinforce the vitality, local economy, and individual character of existing communities while balancing housing, employment, and recreational opportunities. These objectives demonstrate that the proposed General Plan Update does consider the need for employment in communities, in addition to the need to locate housing near existing and future employment lands.

Multiple General Plan Update policies also support the project objectives listed above. Section 7.0, Proposed General Plan Update Policies and Mitigation Measures, identifies all General Plan Update policies and mitigation measures that were determined to reduce project-related environmental impacts. Of these, many encourage the co-location of employment and housing land uses, including: Policy LU-5.1, Reduction of Vehicle Trips within Communities, which requires the incorporation of a mixture of land uses in villages and rural villages; Policy LU-10.4, Commercial and Industrial Development, which limits the establishment of commercial and industrial uses outside of Villages and encourages residential land uses to be located near employment land uses; and Policy H-1.3, Housing near Public Services, which encourages the development of housing within close proximity to job centers. Therefore, the proposed project does consider the need for employment based land uses to be located near housing so that residents can live and work in their own community.

G3-88 The County disagrees with the comment. The traffic modeling process utilized the SANDAG Series 10 Regional Forecast model, assuming development as forecast for the year 2030 in the incorporated areas in the County, along with build-out of the respective land use maps for the unincorporated County land. Assumed roadway classifications for incorporated areas are consistent with SANDAG data and the respective available Circulation Elements of the individual jurisdictions. Roadway

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

classifications within the unincorporated area are consistent with the County roadway network as proposed in the General Plan Update. Therefore, no revisions to the DEIR were made in response to this comment.

- G3-89 The County agrees with the comment that community consensus is not included in DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, but is included in Appendix I, Impacted Roadway Segment and Supporting Rationale for LOS E/F Level Acceptance. In addition, community consensus is never identified as the primary criteria for accepting a road segment with LOS E and F. The primary criteria are identified in DEIR Section 2.15.6.1, but community consensus is also identified in Appendix I when appropriate. This is merely to document when the proposal to accept LOS E and F is consistent with community preferences. Therefore, no changes to the DEIR are proposed as a result of this comment.
- G3-90 The County has replaced Table 2.15-28, Criteria for Accepting LOS E/F Roads, from the DEIR with the criteria that accompanies General Plan Update policy M-2.1. This table was included in error, and was from a prior draft of the General Plan Update which has since been revised. Refer to DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading, Infeasible Mitigation Measures, and Appendix I of the DEIR, Impacted Roadway Segment and Supporting Rationale for LOS E/F Level Acceptance, for information related to infeasible roadway mitigation measures. These sections no longer include the wording "land use modifications". Therefore, the analysis requested in the comment is unnecessary.
- G3-91 The County agrees with this comment. Section 2.15, Transportation and Traffic, of the DEIR provides a summary of the information contained in DEIR Appendix G, Traffic and Circulation Assessment, prepared by Wilson & Company. All County-identified Mobility Element roads were included in Appendix G, Traffic and Circulation Assessment; however, only those roadway segments that were determined to be impacted from the proposed project are discussed in Section 2.15, Transportation and Traffic, of the DEIR. This approach was taken in order to minimize the length of the tables and volume of traffic information provided in the DEIR so that the reader could clearly understand the significant impacts of the proposed project. Please refer to DEIR Appendix G, Traffic and Circulation Assessment, for the full list of roads analyzed in the traffic study. No revisions were made to the DEIR in response to this comment.
- G3-92 The County disagrees with this comment. All Mobility Element roads within the County were included in the traffic analysis provided in Appendix G, Traffic and Circulation Assessment, prepared by Wilson & Company. Therefore, the DEIR adequately analyzed all of the mobility element roads within the County. No revisions were made to the DEIR in response to this comment.
- G3-93 The County disagrees with this comment. Adjusted forecast volumes were derived by SANDAG via a forecast refinement process which examined the differences between forecasted and existing volumes for a base year. Adjusted forecast

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- volumes are universally utilized by all agencies and consultants in conducting traffic analyses. No revisions were made to the DEIR in response to this comment.
- G3-94 The County disagrees with this comment. The levels of services were based on the adjusted forecast volumes. See response to comment G3-93. No revisions were made to the DEIR in response to this comment.
- G3-95 The County disagrees with this comment. The statement identified in the comment is not included in DEIR Section 2.16.6.1, Issue 1: Wastewater Treatment Requirements, nor does the DEIR defer mitigation to another agency. The DEIR analyzes the potential impacts to wastewater treatment requirements that would result from build-out of the General Plan Update land uses at a programmatic level and proposes programmatic mitigation measures for the provision of wastewater treatment under the General Plan Update. For instance, mitigation measure USS-1.2 requires the implementation and revision of Board Policy 1-84 to ensure adequate availability of sewer/sanitation service for development projects that require it. No revisions to the DEIR are required in response to this comment.
- G3-96 The County disagrees with this comment. The issue addressed in DEIR Section 2.16.3.2, Issue 2: New Water and Wastewater Facilities, is if the project would require or result in new water or wastewater treatment facilities or the expansion of existing facilities, the construction of which would have a significant environmental effect. The focus of this issue question is the physical impact on the environment that may result from the construction of water/wastewater facilities, not what agency would provide these services. As identified in this DEIR section, a potentially significant impact associated with the construction of water and wastewater infrastructure would occur and implementation of General Plan Update policies and mitigation measures would be necessary to reduce the impact to below a level of significance. The following General Plan Update policies would be implemented to reduce impacts associated with the provision of water and wastewater facilities: Policy LU-1.4: Leapfrog Development; Policy LU-4.3: Relationship of Plans in Adjoining Jurisdictions; and Policy H-1.3: Housing Near Public Services. In addition, the following mitigation measures would be implemented: 1) USS-2.1: Revise Board Policy I-63 to minimize leapfrog development and establish specific criteria for general plan amendments proposing expansion of areas designated village regional category, which is intended to limit unexpected demands for new water and wastewater facilities; 2) USS-2.2: Perform CEQA review on privately initiated water and wastewater facilities and review and comment on water and wastewater projects undertaken by other public agencies to ensure that impacts are minimized and that projects are in conformance with County plans; and 3) USS-2.3: Implement, and revise as necessary, the Green Building Program to encourage project designs that incorporate water conservation measures, thereby reducing the potential demand for new water purveyors with the buildout of the General Plan Update. No revisions to the DEIR are required in response to this comment.
- G3-97 The County disagrees with this comment. The DEIR analyzes the potential impacts to wastewater treatment requirements that would result from buildout of the General Plan Update land uses at a programmatic level and proposes programmatic



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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- mitigation measures for the provision of wastewater treatment under the General Plan Update. Refer to response to comment G3-95 further information. No revisions to the DEIR are required in response to this comment.
- G3-98 This comment inquires as to the assurances the County has that necessary housing will be provided in communities where adequate wastewater facilities do not exist. In response, the County acknowledges that it has not provided assurances that the housing will be built in these areas or any privately-owned parcels within the unincorporated County. This is because the County is not responsible for providing the housing, rather to establish the necessary controls and regulations to facilitate its implementation. Therefore, no changes have been made to the DEIR as a result of this comment.
- G3-99 Due to the size and complexity of the groundwater dependent portion of the County, it is not possible to specifically identify at a parcel by parcel scale where significant impacts to groundwater resources would occur without performing individual site-specific groundwater studies at each individual water district's location. The time and money involved are far beyond the scope of the planning level scale of this General Plan effort. However, the County did conduct a screening level County-wide assessment of groundwater resources over a nearly 2,000 square-mile area. The study provided a tiered evaluation of groundwater resources, including a cumulative analysis of 86 basins, evaluation of areas where localized impacts to groundwater resources may be occurring, potential areas subject to low well yield, and areas where localized water quality impacts may occur. Mitigation programs are discussed in Section 2.16.6.4 of the DEIR.
- G3-100 The potential effects of global warming included in Section 2.17.3.2, Issue 2: Potential Effects of Global Climate Change on the General Plan Update, are from the San Diego Foundation's Regional Focus 2050 Working Paper and Technical Assessment, which explored what the San Diego region would be like in the year 2050 if current climate change trends continue. CEQA Guidelines Section 15148 refers to citations and states the "Preparation of EIRs is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR." Therefore, the information contained in Section 2.17.3.2, Issue 2: Potential Effects of Global Climate Change on the General Plan Update, is not speculative, it was obtained from a reputable information source. The San Diego Foundation's Regional Focus 2050 Working Paper and Technical Assessment is the only comprehensive San Diego-specific assessment of climate change impacts available. As stated under the Summary heading in DEIR Section 2.17.3.2, climate change impacts that would be most relevant to the unincorporated County are the effects on water supply, wildfires, energy needs, and impacts to public health. Therefore, the DEIR does identify the impacts that global climate change would have on the proposed project. It was not the intention of Section 2.17.3.2 to evaluate the impacts of the proposed project on the predicted global warming trend. That analysis is addressed in Section 2.17.3.1.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-101 The County agrees with the comment. The DEIR does not assume that existing infrastructure is adequate to serve future development under the General Plan Update; rather, the majority of future development is proposed within the San Diego County Water Authority (SDCWA) boundary where existing or planned infrastructure and services can support growth within or adjacent to existing communities. It is anticipated that infrastructure in these areas could be expanded or upgraded to serve future development, as compared to backcountry areas where existing infrastructure may be lacking. The acknowledgement that new infrastructure will be needed is found in DEIR Section 1.3, Project Objectives, and Section 1.4.3, Technical, Economic, and Environmental Characteristics. The ability of utilities to serve buildout of the land use designations proposed in the General Plan Update is analyzed in Section 2.16, Utilities. No revisions to the DEIR are required in response to this comment.
- G3-102 The County disagrees with this comment. Population growth in the County, including in the Desert, Mountain Empire, North Mountain, and Pala-Pauma planning areas, is discussed in DEIR Section 3.1.1, Direct Population Growth. As discussed in this section, population growth is anticipated in the Desert Subregion, Mountain Empire Subregion, North Mountain Subregion, and Pala/Pauma Valley Subregion because these eastern areas of the County would experience relatively large increases in residential units compared to 2008 conditions. However, increased employment opportunities that may occur in these areas would be less likely to result in demand for housing in surrounding jurisdictions due to the greater distance from the town centers in these communities to the other jurisdictions in the County and adjacent counties, especially in the Desert, Mountain Empire and North Mountain Subregions. No revisions to the DEIR are required in response to this comment.
- G3-103 The County disagrees with the comment. The conclusion that employment and housing would be developed consistent with each other is supported in DEIR Section 3.1.2, Employment Growth. As discussed in this section, the land use framework described in the Land Use Element of the General Plan Update would avoid development of a new commercial or other economic center away from planned residential development, which would have the potential to result in unplanned residential growth. This would be supported by a number of General Plan Update policies including: Policy LU-1.4, which prohibits leapfrog development that is inconsistent with the land use plan and community plan; Policy LU-3.3, which requires new large developments to establish a complete neighborhood; Policy 11.1, which encourages the location of commercial, office, and industrial development in village areas with high connectivity and accessibility from surrounding residential neighborhoods; and Policies LU-11.2 and LU-11.7 which require that commercial, office, and industrial development be located, scaled, and designed to be compatible with the unique character of the community and residential development. These policies require residential and commercial development to be provided consistent with, not independent of, each other. Therefore, the General Plan Update does plan for an overall balance of employment and housing. Although there may be a few exceptions to this general rule, such as Tecate, on a County-wide level the General Plan Update strives to achieve a jobs-housing balance for the unincorporated area.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

No revisions to the DEIR are required in response to this comment. Refer to response to comment G3-87 for further information.

- G3-104 The County disagrees with the comment. The employment that could be accommodated in each planning area is not an environmental issue that should be addressed in the DEIR, but rather an economic consideration that is outside of the scope of the DEIR. As stated in Section 15131 of the CEQA Guidelines, “economic or social effects of a project shall not be treated as significant effects on the environment.” However, the land use designations proposed in the General Plan Update include office, commercial and industrial land uses that are anticipated to provide employment. The impacts associated with the development of these land uses, such as traffic or biology impacts, were analyzed based upon proposed location, estimated density, associated traffic generation, and area of impact, as appropriate. The DEIR adequately analyzes the potential environmental impacts of the buildout of all land use designations proposed by the General Plan Update. While employment per community is not required to analyze impacts in the DEIR, employment opportunities accommodated in each planning area can be generally determined based on the intensity of commercial or industrial land use designations within a planning area. Refer to response to comment G3-59 for additional information. No revisions to the DEIR are required in response to this comment.
- G3-105 Refer to responses to comments G3-59 and G3-87 for information related to jobs and housing as provided in the DEIR. The land use framework and Land Use Element policies of the General Plan Update require residential and commercial development to be provided consistent with, not independent of, each other. No revisions to the DEIR are required in response to this comment.
- G3-106 The County disagrees with this comment. A jobs-housing balance is a socioeconomic consideration that is outside the scope of the DEIR. Refer to responses to comments G3-59 and G3-87 for information related to consideration of jobs and housing in the DEIR. Refer to responses to comments G3-101 through G3-105 for the County’s response to the commenter’s identified statements. The land use framework and Land Use Element policies of the General Plan Update require residential and commercial development to be provided consistent with, not independent of, each other. No revisions to the DEIR are required in response to this comment.
- G3-107 The County disagrees that the DEIR did not consider a reasonable range of alternatives. While the project alternatives focus development in the western portions of the County, the No Project Alternative provides an analysis of a development pattern that is spread more evenly throughout the entire unincorporated County. In addition, other alternatives, which generally do not meet project objectives, such as the Backcountry Development Alternative are discussed in DEIR Section 4.1.1, Alternatives Considered but Rejected. The higher intensity designations proposed in the backcountry under this alternative do not take into consideration actual constraints to development. Higher intensity development in the backcountry would not feasibly accomplish most project objectives, nor would it reduce environmental impacts. Therefore, this alternative was rejected from

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

consideration. Additionally, the existing General Plan land use map is analyzed as the No Project Alternative in DEIR Section 4.5, Analysis of the No Project Alternative. This alternative also does not analyze increased growth in the western portion of the County and downsizing in the east. Therefore, along with two alternatives that would accommodate higher intensity growth in the backcountry, the County contends that the DEIR considered a reasonable range of alternatives and that the analysis of an additional alternative is unnecessary. No revisions to the DEIR are required in response to this comment.

- G3-108 The County disagrees that the conclusion for the rejection of the Backcountry Development Alternative is unsupported. A description of this alternative is provided in Section 4.1.1, Alternatives Considered but Rejected, of the DEIR. CEQA Guidelines Section 15126.6(c) states: "The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination... Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (1) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts." The description of the Backcountry Development Alternative in the DEIR specifically states, "allowing for higher intensity growth in the backcountry does not meet five of the ten project objectives because it would: 1) produce additional burdens on infrastructure capacities since infrastructure is less available in the backcountry; 2) increase public costs by not concentrating development within the San Diego County Water Authority (SDCWA) boundary; 3) not help retain land for agriculture and sensitive resources; 4) not locate growth near infrastructure, services, and jobs; and 5) not accurately reflect the actual development capacity of the land." Therefore, the DEIR does provide a supported conclusion for the rejection of the DEIR alternative. This description does not include a reference to densities of 'one home on every four acres' as being 'high density' and it is unclear where the commenter obtained this information from.

Additionally, Section 4.1.1, Alternatives Considered but Rejected, of the DEIR, under the heading, Backcountry Development Alternative states, "The existing General Plan land use map is analyzed as the No Project Alternative. Therefore, an alternative that would accommodate higher intensity growth in the backcountry is analyzed and an additional alternative is unnecessary." Another reason the Backcountry Development Alternative was rejected as an alternative for analysis in the DEIR is because it would establish land use patterns that are essentially the same as the existing County General Plan, which is already included in the analysis of the No Project Alternative in Section 4.5.2, Comparison of the Effects of the No Project Alternative to the Proposed Project. As such, no revisions to the DEIR were made.

- G3-109 The County disagrees with the comment. Reliance on groundwater availability and septic systems in the backcountry as a constraint to development was considered when developing the land use framework for the General Plan Update. Instead of designating the backcountry for higher density development and allowing these and other constraints to later limit development, as the commenter suggests, the DEIR

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- considered this constraint during development of the land use framework so these designated General Plan Update land uses could realistically be developed to accommodate the future population growth forecasted for the unincorporated County. The use of a private sewer instead of septic may be a voluntary measure proposed by an individual development project in consultation with the County; however, it should not be considered the standard solution for wastewater treatment in the backcountry due the complexity and expense associated with this measure. Therefore, no revisions to the DEIR are required in response to this comment.
- G3-110 The County disagrees that public costs are limited to potable water service only. Public costs can be associated with implementation of the following services: transportation, fire protection service, police protection services, school services, library services, wastewater treatment, storm water facilities, solid waste disposal, and energy facilities. DEIR Section 1.3, Project Objectives, lists project objective nine as “Minimize public costs of infrastructure and services and correlate their timing with new development.” The statement referred to by the commenter is an excerpt from a list of reasons why the Backcountry Development Alternative would not be feasible because it conflicts with project objectives. Refer to response to comment G3-108 for additional information regarding the feasibility of the Backcountry Development Alternative. The Backcountry Development Alternative would not concentrate development or growth within the SDCWA boundary, like the proposed project. This would potentially increase public costs by requiring additional infrastructure and services in areas that do not currently have such services. For example, increasing development and growth in the backcountry could increase public costs associated with fire protection services, since some backcountry areas have no fire protection (see Figure 2.13-2, Unincorporated Areas with No Fire Protection). Providing new fire protection services to these areas could result in substantial public costs, when compared to expanding the existing fire protection services that exist within the SDCWA boundary. Additionally, locating development outside the SDCWA boundary could increase transportation infrastructure costs due to the development of new roadways or improvements/maintenance of existing roadways in areas that are not currently developed or not surrounded by existing development. Therefore, the County has determined that the Backcountry Development Alternative is infeasible because it would conflict with many of the objectives of the proposed project. As such, no revisions were made to the DEIR.
- G3-111 The County disagrees with this comment. The DEIR does not state that most productive agriculture in the unincorporated area of the County is small farms on four acres or less, as is suggested by the commenter. Rather, Section 2.2.15, Agricultural Trends, states, “Economically productive agriculture is conducted on small farms, with 68 percent of farms ranging from one to nine acres in size with the median farm size being four acres.” This statement should not be interpreted to mean that most productive agriculture in the unincorporated County occurs on small farms only; it should be interpreted to give perspective to the fact that small parcels of land can be economically viable in agricultural operations. This situation is unique to San Diego County, and a result of high land value.

**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

Additionally, the commenter's statement "the so-called 'backcountry' has very poor soils and very little opportunity for agriculture" is false. Figure 2.2-3, Prime Agricultural Soils, identifies that the backcountry does not have a large amount of area considered to be "Prime Agricultural Soils"; however, this should not be interpreted to mean that the backcountry has very little opportunity for agriculture. As shown in Figure 2.2-2, County Identified Agricultural Lands, a large portion of the County's Grazing Lands occur in the backcountry area, in addition to limited Orchards/Vineyards and Truck Crops. Therefore, the commenter's summary that the backcountry has little opportunity for agricultural is incorrect.

To evaluate the agricultural resources impacts that would result from implementation of the proposed project, an analysis of proposed land use designations that would be placed on areas containing existing agricultural resources was prepared. This analysis is included in Section 2.2.3.1, Issue 1: Direct Conversion of Agricultural Resources, of the DEIR. Although all land uses proposed under the proposed project, or any project alternative, would have the potential to result in a loss of agricultural resources, some land uses have a higher potential to result in a direct conversion of agricultural resources to non-agricultural uses than others. Compared to the proposed project, the Backcountry Development Alternative would result in higher density land uses throughout the unincorporated County, not just the backcountry, which would result in a greater potential for the direct or indirect conversion of farmland. For a complete explanation of the relationship between land use density and potential agricultural resource impacts, refer to Section 2.2.3.1, Issue 1: Direct Conversion of Agricultural Resources, of the DEIR. The methodology behind this impact analysis provides support of the conclusion reached in the alternatives analysis.

As a result of this comment, the Backcountry Development Alternative discussion in Section 4.1.1 of the DEIR, Alternatives Considered but Rejected, has been revised by changing the third reason why the alternative does not meet five of the ten project objectives to "retain land for agriculture grazing".

- G3-112 The County does not agree with the comment. In general, higher density development would result in greater environmental impacts. This is true in most cases for the majority of environmental impacts such as agriculture, biology, air quality, noise, traffic and other issues. However, there may be a few issues where higher density development would have the same or reduced impacts as compared to lower density development, such as fire protection. Therefore, the Backcountry Development Alternative discussion in DEIR Section 4.1.1, Alternatives Considered but Rejected, has been revised to add "most" before environmental impacts, when referring to what higher density development would not reduce. The revisions to this section provide clarifying text and do not provide any new significant environmental impacts, no increase in the severity of project impacts has been determined, and no new feasible alternatives or mitigation measures were identified. Therefore, these revisions would not trigger recirculation of the DEIR, per Section 15088.5 of the State CEQA Guidelines.

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**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

- G3-113 The County disagrees with this comment. As stated in the Casino Focused Development Alternative discussion in DEIR Section 4.1.1, Alternatives Considered but Rejected:

“Similar to the Backcountry Development Alternative described above, proposing higher residential densities near these casinos [on the Campo and La Posta Reservations in the Mountain Empire Subregion and the Pauma-Yuima and Santa Ysabel Reservations in the North Mountain Subregion] would result in higher intensity development in the backcountry, which is not feasible due to development constraints and would not accomplish most project objectives.”

Therefore, the commenter's suggestion for higher density development under this alternative would result in the same reasons for the rejection. No revisions to the DEIR are required in response to this comment.

- G3-114 The County disagrees with the comment. The description of the Full Road Capacity Alternative identified in Section 4.1.1 of the DEIR, Alternatives Considered But Rejected, is not based on the “County’s typical requirements that roads must be wide, flat, and straight, despite the topography and other constraints” as is suggested in the comment. As described in this DEIR section, the Full Road Capacity Alternative would construct a road network with sufficient capacity to result in every segment of roadway operating at LOS D or better. This comment does not raise an environmental issue for which a response is required.

- G3-115 The County agrees with part of the comment and would like to add the following clarification. It is correct that funding sources are not available to fully implement all of the road network improvements; however, as stated in the Full Road Capacity Alternative discussion in DEIR Section 4.1.1, Alternatives Considered But Rejected, it is the region as a whole that lacks funding, not only the County, according to the Regional Transportation Plan. This comment does not raise a significant environmental issue for which any additional response is required.

- G3-116 The County does not agree with the comment. Future development would be allowed consistent with the land use designations identified in the General Plan Update, and would not be curtailed if consistent with this plan. This comment does not raise a significant environmental issue for which a response is required.

- G3-117 The County disagrees with the comment. As discussed in response to comment G3-107 the County did consider an alternative that would not concentrate development in the western portion of the County, the Backcountry Development Alternative discussed in DEIR Section 4.1.1, Alternatives Considered But Rejected. Additionally, the existing General Plan land use map is analyzed as the No Project Alternative in DEIR Section 4.5, Analysis of the No Project Alternative, which does not shift development westward. Therefore, an alternative that would accommodate higher intensity growth in the backcountry is analyzed. Refer to responses to comments G3-107 through G3-111 regarding the DEIR’s rejection of the Backcountry Development Alternative and other considered but rejected alternatives. No revisions to the DEIR are required in response to this comment.



**Responses to Letter G 3, Building Industry Association (BIA) (cont.)**

G3-118    This comment does not raise a significant environmental issue for which a response is required.

**Comment Letter G 4, East County Construction Council**

1150 Broadway, Suite 210  
El Cajon, CA 92021  
August 25, 2009

Devon Muto  
County of San Diego DPLU  
5201 Ruffin Road, Suite B  
San Diego, California 92123

Re: Comments on the General Plan Update Draft EIR

Dear Mr. Muto:

G4-1.

Please accept this letter in response to the County of San Diego's Draft Environmental Impact Report for the General Plan Update.

In Chapter 2.9 Land Use of the Draft EIR, impacts of the General Plan Update are analyzed according to three CEQA guidelines: 1) If it would physically divide an established community; 2) If it would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental impact; or 3) If it would conflict with any applicable RCP or NCCP. It is this second guideline on which I would like to focus.

G4-2.

Page 2.9-29 and 2.9-30 of the Draft EIR recount the objectives of the SANDAG Regional Comprehensive Plan (RCP) and how the General Plan Update fits within it. As stated on page 2.9-29, the RCP *"takes into account buildout of the existing general plans prepared for the unincorporated County and each of the incorporated cities and forecasts future population and number of housing units for the entire County."* Based on this, I do not agree with the assessment that the General Plan Update would be consistent with the RCP.

G4-3.

The General Plan Update will significantly reduce the development potential currently accounted for in the existing General Plan for East San Diego County. As such, build out in these areas will be considerably lower than planned for by SANDAG.

Page 2.9-30 goes on to state that the *"General Plan Update is also consistent with the SANDAG Regional growth projections that are identified in the RCP."*

The General Plan Update represents a 15 percent reduction in housing for the unincorporated areas of San Diego County - equivalent to 33,000 housing units. Given this stark reality, it is irresponsible and incorrect to state the General Plan Update is consistent with the RCP.

**Comment Letter G 4, East County Construction Council (cont.)**

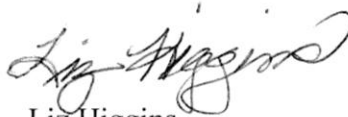
- G4-4. The density downzoning provisions applied by the General Plan Update to East County will leave San Diego ill-equipped to meet future population demands. The prohibition on
- G4-5. development in East County will push development westward and exasperate already
- G4-6. constrained resources. The General Plan Update should support regional plans for continued growth and prosperity - not hamper economic productivity.
- G4-7. As it appears impacts of the General Plan Update on applicable land use plans, policies, or regulations were not fully and adequately analyzed. I request this analysis be revised to indicate the General Plan Update's inconsistency with the RCP and propose adequate mitigation measures for the loss of 15 percent of the County's housing.

Thank you for the opportunity to comment.

Sincerely,



Ronald Rennock  
Chairman



Liz Higgins  
Interest Group Representative

## Responses to Letter G 4, East County Construction Council

G4-1 This comment provides an introduction to the General Plan Update DEIR comments that are addressed in responses to comments G4-2 through G4-7.

G4-2 This comment appears to imply that because the SANDAG Regional Comprehensive Plan (RCP) population forecasts are based on existing General Plans, then the General Plan Update is not consistent with the SANDAG RCP. While the County would agree that the SANDAG RCP population forecasts are no longer the most current as more recent forecasts have been prepared by SANDAG, the County disagrees that the General Plan Update is not consistent with the RCP. The forecasts in the RCP are based on General Plan Update forecasts. The following excerpt can be found on Page 41 of the RCP, which can be accessed at [http://www.sandag.org/programs/land\\_use\\_and\\_regional\\_growth/comprehensive\\_land\\_use\\_and\\_regional\\_growth\\_projects/RCP/rcp\\_final\\_complete.pdf](http://www.sandag.org/programs/land_use_and_regional_growth/comprehensive_land_use_and_regional_growth_projects/RCP/rcp_final_complete.pdf):

“This forecast is based on economic and demographic factors that are influenced by the currently adopted land use plans and policies of the 18 cities, and the most recent information from the County of San Diego’s General Plan Update for the unincorporated area.”

DEIR Section 2.9.3.2, Issue 2: Conflicts with Land Use Plans, Policies, and Regulations, has been revised to reflect that the RCP takes into account “*the most recent information from the County’s General Plan Update*” rather than from the existing General Plan.

G4-3 The County does not agree with this comment. The SANDAG population forecasts have been coordinated with the County, and the future units established by both the County’s and SANDAG’s population models are within a reasonable range. Therefore, the land use scenario used in SANDAG’s population forecast model is based on the General Plan Update Land Use Map. Although, the General Plan Update translates to a decrease in population, nowhere in the SANDAG RCP is it stated or implied that growth should take place in low density areas where the General Plan Update reduces population densities. On the contrary, the SANDAG RCP promotes smart growth near jobs, housing and transit and reduces land consumption in rural and agricultural areas, as stated in the following excerpt from the SANDAG RCP Vision Chapter:

“*Smart growth means developing the region in a way that creates communities with more housing and transportation choices, better access to jobs, more public spaces, and more open space preservation. Smart growth more closely links jobs and housing, provides more urban public facilities like parks and police stations, makes our neighborhoods more walkable, and places more jobs and housing near transit. It reduces land consumption in our rural and agricultural areas and spurs reinvestment in our existing communities. Together, sustainability and smart growth form the philosophical foundation of the Regional Comprehensive Plan.*”

G4-4 This comment does not pertain to the DEIR or raise an environmental issue. There is no evidence provided by the commenter to support the claim that the County General Plan Update is not providing an adequate amount of housing in the eastern

**Responses to Letter G 4, East County Construction Council (cont.)**

portions of the unincorporated County to meet future population demands. As shown in the response to comment G4-3 above, the General Plan Update is consistent with future population projections and, based on the vision of the SANDAG RCP, population demand is more appropriately met when provided in smart growth patterns of development close to housing, jobs, and public facilities.

- G4-5 The County does not agree that the project proposes a prohibition on development in the eastern part of the county. This comment also states that the General Plan Update will “exasperate already constrained resources” in the western portions of the County. The County concurs that the growth associated with the General Plan Update will require additional investments in infrastructure, wherever the growth occurs. However, the County contends that infrastructure can be provided more efficiently in the western portions of the county. The County finds that public costs are greater when providing infrastructure and services in rural areas outside of the County Water Authority (CWA) boundary. This is based on the geographic separation of rural areas from urbanized areas which leads to low utilization rates, inadequate response times for emergency services, and the detachment of service delivery professionals from their colleagues. In addition, providing infrastructure and services to areas with a low population density means higher per unit costs of some services and the inability to supply specialized help (for example, for the handicapped) because the area cannot support the services for so few clients.

For example, there is a growing body of literature on the effects of land use on local government taxation and spending, commonly referred to as costs of community services (COCS). These studies consistently conclude that local government costs to support residential development exceed revenues generated by new residential development. The American Farmland Trust compiled the results of 95 COCS studies and concluded that on average, for every one dollar of revenue collected from residential land, 1.19 dollars are spent.

Further analysis of these studies concluded that the development of lands at rural densities (lots greater than one acre) cost more than suburban or urban densities. The analysis indicates that rural densities cost 29 percent more than the most cost effective urban densities.

- G4-6 This comment suggests that the General Plan Update does not support regional plans and that it hampers economic productivity. The comment does not identify which regional plans that the General Plan Update does not support. As documented in the responses to comments G4-2 and G4-3, the General Plan Update is consistent with the SANDAG RCP, along with the SANDAG population forecasts. In addition, the General Plan Update DEIR Section 2.9.3.2, Issue 2: Conflicts with Land Use Plans, Policies, and Regulations, evaluates and has determined that the General Plan Update was not in conflict with the following plans that address all or portions of the unincorporated county: 2030 Regional Transportation Plan, Congestion Management Program, San Diego Basin Plan, Airport Land Use Compatibility Plans, San Diego County Regional Air Quality Strategy, and other adopted land use plans for the region. Therefore, the County disagrees that the

## **Responses to Letter G 4, East County Construction Council (cont.)**

General Plan Update does not support regional plan and that it hampers the economic productivity.

- G4-7      This comment requests the General Plan Update be revised to indicate the project's inconsistency with the SANDAG RCP and to propose mitigation measures for the loss of 15 percent of the County's housing. The County disagrees that the General Plan Update or DEIR need to be revised because of the reasons stated above. As shown in the response to comment G4-2, the General Plan Update is consistent with the RCP. In addition, the County does not agree it is necessary to propose mitigation measures for the loss of 15 percent of housing when the project is consistent with regional population forecasts, as shown in the response to comment G4-3 above. Therefore, no changes were made to the DEIR as a result of this comment.

**Comment Letter G 5, Endangered Habitats League (EHL)****ENDANGERED HABITATS LEAGUE**

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE

*VIA OVERNIGHT AND ELECTRONIC MAIL*

August 28, 2009

Devon Muto  
 County of San Diego DPLU  
 5201 Ruffin Road, Suite B  
 San Diego, CA 92123-1666

**Re: Comments on Draft Environmental Impact Report for the San Diego County  
 General Plan Update**

Dear Mr. Muto:

On behalf of the Endangered Habitats League (EHL), we appreciate this opportunity to submit the following comments on the Draft Environmental Impact Report (DEIR) that was prepared for the County's General Plan Update. Comments on the Draft General Plan itself are in a second, accompanying letter.

As you know, the California Environmental Quality Act (CEQA) requires agencies to ensure "the long-term protection of the environment..." (Pub. Res. Code § 21001 (d).) To effectuate this purpose, CEQA requires public agencies considering a project of this magnitude to prepare an Environmental Impact Report (EIR) that informs governmental decision makers and the public about the potential significant environmental impacts of proposed activities, identifies ways that environmental damage can be avoided or significantly reduced, and requires the adoption of feasible alternatives and mitigation measures. (CEQA Guidelines § 15002 (a)(1)-(3).)

**G5-1.**

The County's DEIR falls short of meeting CEQA's mandates. While the Update is an improvement compared to the current plan, the DEIR fails to provide sufficient information about relative impacts to allow the public and decision-makers to make an informed choice among the few alternative scenarios presented. Moreover, alternatives are measured against arbitrary, self-defining project objectives, blurring the fact that less environmentally damaging alternatives fully satisfy stated project objectives. The project and alternatives are not sufficiently well defined against a stable baseline background, and the DEIR fails to properly disclose, evaluate, and mitigate many potentially significant impacts of the Project in violation of CEQA. Proposed mitigation is inaccurately presented as being effective and enforceable, and truly effective, feasible mitigation has been arbitrarily dismissed, rejected as infeasible, or ignored.

**G5-2.**

Nor does the Draft General Plan proposed as the "project" in the DEIR, also known as the Referral Map, comply with State planning law. Numerous internal inconsistencies exist,



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 2

**G5-2.** including between the Safety Element and Land Use Elements, and the Land Element and the Housing Element. Finally, the Referral Map does not provide sufficient suitable sites to meet the County's allocation of affordable housing, in violation of State law.

**cont.**

EHL therefore asks the County to revise the DEIR to comply with CEQA and to revise the General Plan Update to amend the fatal defects identified below.

**The Project Description Is Inaccurate and Unstable, Fundamentally Distorting Analysis of Impacts and Evaluation of Alternatives.**

**G5-3.** "An accurate, stable, and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles*, 1977). This core element of a legally adequate EIR is missing here, because thousands of acres and thousands of dwelling units contained in pending projects are likely to be developed in a manner totally at odds with the proposed project. Because these acreages are inaccurately represented as part of the plan

**G5-4.** Update, instead of being "subtracted out," the true effects of the proposed project and the alternatives presented are not accurately disclosed. This fundamental defect not only miscasts what the proposed project will look like, but also results in an inaccurate comparison of alternatives, and an inaccurate analysis of the alternatives' respective impacts on the environment.

During the multi-year process of General Plan Update development, hundreds of development proposals were submitted to the County's DPLU, which is required to apply the extant General Plan if they are approved before the adoption of the Update. Indeed, a subset of these pending projects, known as "pipelined projects," will benefit from the old rules even if they are approved after Update adoption. Some of these projects are of little relevance, either because they are consistent with the Update alternatives under consideration, or because they were too minor to make a difference.

**G5-5.** But many inconsistent pending projects remain, many of which are quite large, and likely to be approved under existing rules which, as the comparison of the proposed project with the no-project alternative makes clear, are much more favorable to intensive development. The County in the DEIR found 148 such projects, and decided not to include them on the land use maps and instead analyze them only in the cumulative impacts section.

According to the DEIR,

"Within the unincorporated areas of the County there are a number of ongoing development projects that are in the approval process, or have recently been approved and are currently under construction, that are not represented in the proposed General Plan Update land use map. These projects largely consist of private development proposals that require approvals such as GPAs, specific plans and specific plan amendments, TMs/TPMs, and major use permits. The various development projects

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 3

G5-5.  
cont.

currently undergoing review by the County were evaluated for consistency with the General Plan Update EIR. Many of the approvals were found to be consistent or have negligible relevance, such as administrative permits, minor use permits, building permits, and grading permits (a complete list of approvals that are processed by the County can be found on the DPLU website <http://www.sdcountry.ca.gov/dplu/>). After review, *148 projects were included in the EIR cumulative analysis*. These projects are listed in Table 1-11.” (Emphasis added.)

G5-6.

In other words, these projects were analyzed *in addition* to the Update, as if they were located outside the land use jurisdiction of the County. But that is obviously not the case; instead, they *replace* the project land use designations in the places where they will be built if they are approved.

G5-7.

Inexplicably, the County did not “subtract” these areas from the project when describing it verbally, presenting it visually, and in analyzing most of the impacts in the DEIR. Instead, the project and alternatives are inaccurately described and analyzed in most of direct impact sections *as if they covered the whole unincorporated area of the County* and as if there were *no* pending projects.

G5-8.

And instead of the “stable” project description CEQA requires, impacts were assessed differently in the DEIR depending on the impact in question. Apparently, the impacts from the project-inconsistent pending projects were included in the analyses of traffic and air quality, but were omitted when analyzing the project for all other areas of concern, such as biological resources, agricultural impact, public services, etc.

G5-9.

This inaccuracy is no trivial matter. Over 18,210 acres are potentially impacted. The inconsistent projects total about 11,294 units, creating an average gross density of 1.6 dwelling units per acre in the inconsistent areas. (DEIR Table 1-11.) Many, if not most, of these projects are in areas designated in the proposed project—and especially in the Draft Land Use (“Draft”) and Hybrid Maps—for much lower densities.

G5-10.

This failure to address the impact of pending projects *on the project itself* compromises the accuracy of virtually every aspect of the environmental review. Inaccuracies include:

G5-11.

- The spatial appearance of the land use maps is inaccurate as it does not include “islands” of density that would result from the pending projects;

G5-12.

- The difference between the project maps and existing physical conditions is underestimated because the more intense development that would result from the pending projects is inaccurately replaced by Update designations;

G5-13.

- The difference between the project maps and the no-project alternative is overestimated because areas that likely will develop under the existing plan designations are represented as developing under the Update designations;
- The differences among the three alternative maps is overestimated because all three



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 4

- G5-13. cont. maps will be impacted identically by pending projects in areas where designations differ among them;
- G5-14.
  - Estimated acreage impacts on biological resources, agricultural resources, and other areas of concern are rendered inaccurate because the Update designations are erroneously assumed to occur where pending projects that will likely be developed under the existing rules are located; and
  - The ability of the proposed project and all the alternatives to accommodate a reasonable share of projected population is grossly underestimated, since pending projects will add significant growth to the area covered by the Update. Indeed, the additional units in the pending projects total more than three times the difference in units between the Draft Map and the proposed project.
- G5-15.
- G5-16. 

As in *San Joaquin Raptor Rescue Center v. County of Merced*, 149 Cal.App.4th 645, 657, here “[t]he inconsistent description . . . failed to adequately apprise all interested parties of the true scope and magnitude of the Project.” In that case, the court found that the EIR was “insufficient as an informational document for purposes of CEQA, amounting to a prejudicial abuse of discretion” because of inconsistent and misleading characterizations of the amount of production from a proposed mining project. The DEIR here likewise fails to accurately describe the relationship between pending projects and the Update, thereby inaccurately portraying the project and its impacts.
- G5-17. 

To comply with CEQA, the DEIR must be revised to reconcile pending projects with the depiction and description of the Project and the analysis of impacts and alternatives, and revised to correct the inaccuracies outlined above.
- The Alternatives Analysis Is Inadequate**
- G5-18. 

The alternatives analysis in the EIR does not meet the legal standard imposed by CEQA. The primary reason for this shortcoming is the DEIR’s cursory treatment of fundamental and significant differences between the alternatives presented regarding virtually any impact of concern. The outcome of this “papering over” is, predictably, an erroneous conclusion—that the three alternative land use maps presented for serious consideration have equivalent impacts on the environment. Nothing could be further from the truth; the true differences between the alternatives have been concealed.

This “papering over” of differences is a fundamental defect under CEQA. The alternatives analysis is the “core of the EIR.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal 3d 553, 564.) CEQA imposes a high standard when a lead agency is proposing to reject an alternative considered in an EIR. “One of [an EIR’s] major functions . . . is to ensure that *all reasonable alternatives* to proposed projects are thoroughly assessed by the responsible official.” (*Laurel Heights Improvement Ass’n. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400, quoting *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197; emphasis in original.) Further, “Under CEQA, the public agency bears the burden of *affirmatively*

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 5

G5-18.  
cont.

*demonstrating that...the agency's approval of the proposed project followed meaningful consideration of alternatives and mitigation measures.*" (*Mountain Lion Foundation v. Fish and Game Commission* (1997) 16 Cal.4th 105, 134, emphasis added.) The adoption of a less damaging feasible alternative is the equivalent of the adoption of feasible mitigation. (*Laurel Heights, supra*, 47 Cal. 3d at 403.) Such an alternative or mitigation measure *must* be adopted by the lead agency unless the lead agency can demonstrate that the mitigation is "truly infeasible." (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal. 4<sup>th</sup> 341, 368; see also Pub. Res. Code §21002 ["public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects"].)

G5-19.

The DEIR's alternatives analysis fails to meet these legal standards, and the underestimation of the differences between the alternatives pervades the DEIR. An illustrative example is the comparison of the biological impacts of the various alternatives, the comparison among the Draft, Hybrid and Proposed land use maps focused on difference expressed by gross acres affected, without any characterization of the relative impact on fragmentation or specific rare habitat types. The DEIR thus concludes that

G5-20.

"The Draft Land Use Map Alternative would impact approximately 23,364 fewer acres of sensitive natural habitats potentially supporting special status plant and wildlife species, 1,016 fewer acres of riparian habitat, and 121 fewer total acres of federally protected wetlands than the proposed project. Impacts to wildlife corridors and nursery sites would be reduced as compared to the proposed project because this alternative would impact fewer acres of sensitive natural habitat that would potentially contain wildlife corridors and nursery sites." (DEIR at p. 4-39.)

This comparison is true so far as it goes, but it does not go nearly far enough to permit a reader to grasp the profound differences in habitat impacts between the two maps. According to a comparative impacts report prepared by the Conservation Biology Institute (CBI) and submitted by EHL to the County in 2005, fragmentation-inducing density increases<sup>1</sup> in the proposed project would impact close to two hundred thousand acres compared to the Draft Map. These increases are concentrated in the most high-value habitat areas, degrading intact natural landscapes in the County and compromising tens of millions in conservation investments by federal, state and local governments.

G5-21.

The CBI study also pointed out that certain sensitive habitat types would be disproportionately impacted by the proposed project as compared to the Draft Map. Having derived a scientifically validated fragmentation inflection point at densities of 1 d/u per 40 acres or greater, the CBI study demonstrated that the Referral Map would adversely impact 55% of all the oak woodlands in the County including 47% of the rare remaining stands of Engelmann oaks.

<sup>1</sup> 1 d/u per 80 acres to 1 d/u per 40 acres, 1 d/u per 160 acres to 1 d/u per 40 acres, and 1 d/u per 40 acres to 1 d/u per 20 acres.



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 6

- G5-21. cont.** (CBI study at p. 19.) The County's coniferous forests and grasslands were also disproportionately impacted. (Id.) The Study concluded that the proposed project would thus result in significantly greater direct, indirect and fragmentation impacts than the Draft Map, particularly on rare habitat types.
- G5-22.** Even though the CBI Study was delivered to the County for incorporation in the environmental review, none of these profoundly significant facts is disclosed in the DEIR's evaluation of these alternatives. To the contrary, the DEIR inexplicably concludes that the proposed project and the Draft Map would "equally" fulfill the County's objective to "protect natural resources and habitats of ecological importance." (DEIR at 4-46.) Nothing could be further from the truth.
- G5-23.** The County has an obligation under CEQA to disclose information material to the choice of alternatives in "meaningful detail" in the EIR, as the Supreme Court made clear in *Laurel Heights*. (See *Laurel Heights Improvement Ass'n. v. Regents of the University of California* (1988) 47 Cal. 3d at p. 406.) It did not do so here. Instead, it merely posted the study on its website. Burying key information frustrates the legally required informational purposes of an EIR. (*Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 723.) Worse, the DEIR affirmatively misleads the reader into thinking that the biological impacts of these two alternatives are "equal." This also violates CEQA, since an EIR containing statements that are "at best confusing and at worst self-contradictory" on key issues is inadequate. (*San Joaquin Raptor Center v. County of Merced* (2007) 149 Cal. App. 4th 645, 656 fn. 4.) The DEIR must therefore be revised and re-circulated to reflect accurately and completely the true state of the facts.
- G5-24.** **The County Is Precluded from Making the Findings Required to Select the Proposed Project**  
  
The Board is legally precluded from selecting the proposed project because it cannot lawfully make a finding that the Draft and Hybrid Map alternatives are infeasible. This finding is an essential, legally-required precondition to the ability of a lead agency to consider a statement of overriding considerations. And in turn, the issuance of a statement of overriding considerations is required in order to lawfully approve the project, given the significant unmitigable impacts to various resources.
- G5-25.** First, any finding that the Draft Map alternative satisfies project objectives better than the preferred alternative would not be based on substantial evidence. The DEIR's consistent misrepresentation of the comparative impacts of the Draft Map and the preferred alternative leads the County to misstate the Draft Map's relative performance in satisfying *all* the Plan Update project objectives. The DEIR concludes:  
  
"For eight of the objectives, the Draft Land Use Map Alternative would *equally* fulfill the objectives as compared to the proposed project. These include the following objectives:

**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 7

G5-25.  
 cont.

2) reduce land consumption and promote sustainability; 3) reinforce the vitality, local economy, and character of communities; 4) protect natural resources and habitats of ecological importance; 5) account for physical constraints and natural hazards of the land; 6) provide and support multi-modal transportation network; 7) sustainable communities/reduced greenhouse gas emissions; 8) preserve agriculture; and 9) minimize public costs of infrastructure and services.” (DEIR 4-46.)

The reality, however, is that the Draft Map is *significantly superior to the proposed project in meeting all plan objectives*. First, the DEIR correctly concludes that the Draft Map alternative best serves the objective to “[r]ecognize community and stakeholder interests.” Next, by significantly reducing the amount of land designated semi-rural by over 15,000 acres—by far the most environmentally destructive of the Update’s three general land use designations—the Draft Map better “reduces land consumption and promotes sustainability.” Further, the County admits in the DEIR’s own alternative analysis, that environmental impacts in each of these resource areas—aesthetics, agricultural resources, air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, noise, recreation, transportation and traffic, utilities, and climate change—will occur “to a lesser degree” under the Draft Map than under the preferred alternative. (DEIR, 4-38-4-45.)

G5-26.

Similarly, by increasing the amount of rural land compared to the proposed project by over 17,000 acres, the Draft Map would better “reinforce the vitality, [the] local economy, and character of communities” by preserving rural character and more effectively “preserve agriculture.” According to the DEIR, impacts on agricultural land will be less under the Draft Map than under the preferred alternative. (DEIR, 4-38.)

G5-27.

The Draft Map would better “support a multi-modal transportation network” and “minimize public costs of infrastructure and services” by reducing the number of dwelling units in auto-dependent rural sprawl.<sup>2</sup> And again, according to the DEIR, impacts on recreation, transportation and traffic, and utilities will be less under the Draft Map. (DEIR, 4-43-4-45.) The resulting reduced VMT from the Draft Map as compared to the proposed project would, in turn, better satisfy the goal of “sustainable communities/reduced greenhouse gas emissions.” And again, according to the DEIR, contributions to climate change impacts, as well as all the other impacts mentioned above, will be less under the Draft Map. (DEIR, 4-45.)

<sup>2</sup> The proposed project would add capacity for 3700 homes compared to the Draft Map. Changes to the Circulation Element required to accommodate this added semi-rural sprawl would cost \$501 million, or over \$134,400 per house! These costs exclude freeway improvements and minor road improvements. They also exclude other public infrastructure costs. See DPLU, Proposed Changes to Circulation Element Road Network and Framework. August 2006, at p. 8. Were these other costs added in, the public subsidy per dwelling unit to accommodate these referrals could well approach the median price of a house in the United States, which was \$174,100 as of August 2009! See August 12, 2009 WSJ <http://online.wsj.com/article/BT-CO-20090812-712047.html>



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 8

G5-28.

However, contrary to erroneous conclusions in DEIR—but at the same time, consistent with the DEIR’s own admission that impacts to groundwater resources will be less under the Draft Map (DEIR, 4-41)—the Draft Map would better conserve groundwater resources. The DEIR states with regard to the Hybrid Map:

“When compared to the proposed project, the Hybrid Map would reduce total housing within the SDCWA service area by 4,481 dwelling units (see Table 4-6) and would accommodate 1,165 additional homes outside the SDCWA boundary. Therefore, the Hybrid Map would result in a greater impact to groundwater because it would accommodate a greater proportion of growth in groundwater dependent areas. As such, impacts would be greater than the proposed project.” DEIR at p. 4-21.)

This reasoning is flawed. It does not logically follow that dwelling unit *reductions* within the San Diego County Water Authority boundary under the Hybrid and Draft Maps mean greater impacts to groundwater than the proposed project. Only if these alternative maps contain more new units in groundwater dependent areas than the proposed project would this conclusion be justified. But in fact the opposite is true. A simple visual inspection of the maps shows that the proposed project contains vastly greater additional units in groundwater dependent areas than the Hybrid or Draft Maps. Indeed, many of the referrals inexplicably increase density in areas identified as already having insufficient water supply to support growth. (See *Groundwater Impacts Map*.)

G5-29.

The DEIR’s alternatives analysis again misleads regarding the alternatives’ respective ability to satisfy the project objective of “supporting a reasonable share of population growth.” As to this objective, the DEIR concludes that “the Draft Land Use Map Alternative would not be considered to fully meet the objective because it would accommodate a smaller population than the proposed project.” (DEIR at 4-46.) This conclusion implies without factual or rational basis that the larger the share of growth a given plan accommodates, the more “reasonable” it is. Indeed, nowhere in the DEIR is it defined just what a “reasonable” share is.

G5-30.

To the extent a “reasonable share” for unincorporated San Diego County is determined for the County as a whole, SANDAG looks to *the County’s General Plan Update* to determine what share of projected growth will be accommodated. In distributing its regional growth projections, SANDAG incorporates the General Plan Update:

“The 2030 Regional Growth Forecast Update is based solely on the current, adopted general and community plans of the 18 cities, and the most recent (June 2006) version of the County’s General Plan update. It includes no assumptions about how local plans and policies might evolve over time in response to the region’s continuing growth. The current forecast provides an assessment of where our plans of today, if left unchanged, will likely take us in coming decades.”<sup>3</sup>

3 2030 Regional Growth Forecast Update: Process and Model Documentation, p. 1, San Diego



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 9

G5-30.  
cont.

Thus, rather than articulating a goal or objective, the Regional Growth Forecast is merely a portrayal of what would happen under the Update. As the Regional Comprehensive Plan (RCP) puts it, “the 2030 Final Forecast is not a prescription for the future. *It simply portrays the likely outcomes if we continue operating under our current plans and policies.*” (RCP at p. 45, emphasis added.) In other words, there is no “reasonable share” of projected growth objective apart from what the project under consideration would itself provide.

G5-31.

It therefore follows that the purported objective of “supporting a reasonable share of population growth” is not an objective at all; there *is* no objective definition in the DEIR of what constitutes an ideal “reasonable share.” Because no standard has been set, there cannot possibly be substantial evidence or a reasoned conclusion to support the DEIR’s conclusion that “the Draft Land Use Map Alternative would not be considered to fully meet the objective because it would accommodate a smaller population than the proposed project.” (DEIR at 4-46.)

G5-32.

To the extent that evidence exists of such an objective standard, that evidence supports the conclusion that *it is the Draft Map alternative* that better accommodates a *reasonable* share of projected growth. In a DPLU staff analysis of the ability of the Draft and Referral Maps to meet Plan Update objectives, planners concluded that the Draft Map fully met regional growth objectives, coming in slightly over the target population. (See *Land Use Scenario Comparison*, May 2004.) Maps significantly exceeding the population target, i.e., by 2 to 3%, were deemed inferior, since the additional growth in unincorporated areas was inconsistent with other planning objectives: “Scenarios within 2 to 3 percent of the County’s target population are evaluated as “meeting” [the population] objective. Higher populations were not because additional capacity increases costs for both infrastructure and essential services.” (See *Land Use Scenario Comparison*, May 2004, p. G-2, footnote.)

G5-33.

According to County staff, “All Board Referrals scenarios [i.e., the proposed project] add unnecessary population capacity” and thus do *not* meet the goal of accommodating a *reasonable share* of growth. (See *Land Use Scenario Comparison*, May 2004, p. G-3.) For this reason, staff concluded in a May 2004 analysis that the “April 2004 Working Copy Map [precursor to the Draft Map] best meets GP2020 [Update] project objectives and the Board-endorsed planning concepts, Land Use Framework, and Draft Goals and Policies.” (See *Land Use Scenario Comparison*, May 2004, p. G-3) Staff further noted that:

“[a]ll Board referrals scenarios contain some residential designations that do not fit the proposed GP2020 planning principles. Including these exceptions could jeopardize the planning principles used to develop the GP2020 maps.” (See *Land Use Scenario Comparison*, May 2004, p. G-2, footnote.)

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Association of Governments (April 2008). See  
[http://www.sandag.org/uploads/publicationid/publicationid\\_833\\_3750.pdf](http://www.sandag.org/uploads/publicationid/publicationid_833_3750.pdf)

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 10

G5-34.

There is thus abundant evidence that the proposed project significantly *undermines* literally every Board-endorsed project goal and that the DEIR's conclusions of equivalency are untenable. This fact is explained by the genesis of the Referral Map. The Referral Map was created in response to requests from individual landowners that the Board had solicited, and was put forward by the Board for analysis in the DEIR despite the undermining of project goals. Hundreds of so-called "referrals" were received, nearly all of which requested higher density in relatively remote areas of the County. The staff analysis prepared for the hearing at which the referrals were considered concluded that the majority of them were *inconsistent* with the Planning Concepts and Goals that the Board had adopted to guide the General Plan Update. (See *General Plan 2020 Residential Referrals*, Oct. 1, 2003.) The Board nonetheless adopted the majority of the referrals *as submitted*, and directed staff to include the then-called Board Map (now Referral Map) as an alternative for environmental review. This map became the proposed project under review here. The amendments to the Draft Map that became the proposed project have *never* been supported by any planning rationale, and are fundamentally inconsistent with Plan policies and goals.

To add more specific detail, the Board of Supervisors created the "Referral Map" in 2004, also called a "Consensus Alternative Map." It used the Working Copy (later called the Draft Land Use Map) as a baseline, but made the following changes:

1. Low density land use designations were removed across vast rural areas. (See green-highlighted actions in *Minute Order*, June 16, 2004 and *Board Motion – Consensus Alternative Map*, June 16, 2004.)

G5-35.

Planning staff had recommended low density designations in rural and backcountry parts of the county, over tens of thousands of acres. This was to achieve planning goals of shifting development toward existing services and infrastructure, reducing fire risk, conserving groundwater, preserving ecological values, and preserving agricultural resources. In non-parcelized Rural lands outside the County Water Authority (CWA) service boundary, designations of 1/du per 80 and 160 acres were commonly applied. In Rural lands within the CWA boundary, 1/du per 40 was applied in addition to 1/du per 20 acres.

However, in creating the Referral Map, the Board of Supervisors directed that land use designations of 1/du per 80 and 160 acres be entirely removed from the communities of Bonsall, Fallbrook, Julian, North County Metro, Hidden Meadows, Twin Oaks, Pala-Pauma, Pendleton-DeLuz, Ramona, San Dieguito, and Valley Center. Also, no designation with a density below 1 du per 20 acres was allowed within the County Water Authority service area in Fallbrook, North County Metro, Pala-Pauma, and Valley Center. In taking this action, no planning analysis was provided as to the effect on removing the lower density ranges from broad rural areas.

G5-36.

2. Many land use designations were changed following parcel-specific landowner requests despite staff recommendation to the contrary. This created numerous *exceptions* to otherwise



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 11

equally applied planning rules. (See *General Plan 2020 Residential Referrals*, October 1, 2003.)

Part of the Update process was to consider landowner-initiated requests to intensify uses beyond the Working Copy/Draft Land Use Map recommendations. For each of the 200 “referral” requests, staff exhaustively analyzed consistency with several planning objectives. These were:

- *Develop a legally defensible general plan (e.g., consistent with surrounding parcelization)*
- *Assign densities based on characteristics of the land (e.g., physical constraints)*
- *Locate growth near infrastructure, services and jobs*
- *Reduce public costs (e.g., infrastructure and services)*
- *Balance competing interests (e.g., agricultural preservation)*
- *Create a model for community development (e.g., maintain village-rural boundaries)*
- *Improve housing affordability*
- *Obtain a broad consensus (e.g., respect planning group recommendations)*

Staff recommended adoption of referrals it found to meet planning objectives, recommended denial of the referral when inconsistent with the objectives, or recommended a compromise between the referral request and the Working Copy/Draft Land Use Map.

G5-36.  
cont.

Of the 200 total referral requests, 39 were accepted by staff as meeting planning objectives and were adopted by the Board in the Referral Map. In 13 cases, the Board accepted a staff recommendation to deny the referral and not put it on the Referral Map. In 8 cases, the Board accepted the compromise recommended by staff. However, in 67 cases, the Board *overruled* staff and accepted a referral (or its equivalent, such as a recommendation from a community group) that did not meet the planning objectives. In 48 cases, the Board overruled the planning compromise and accepted the referral. In one case, the Board rejected the staff recommendation to adopt a referral deemed consistent with the objectives. Twenty-four referrals had no action taken, were deferred to further study, or withdrawn.

Thus, for a *minimum* of 116 of the 200 requests, and absent supporting analysis, a land use designation was placed on the Referral Map that the Dept. of Planning and Land Use, after its own thorough analysis, had deemed *inconsistent* with the objectives of the General Plan Update. These improperly designated lands cover a total of 53,496 acres. Most of the referrals increase intensity or impose a destructive pattern of estate lot subdivision upon intact habitat and agricultural lands. Occasionally, the referrals reduce the town densities designed to create vibrant and sustainable communities.

The consequences of this ill-conceived Referral Map are devastating to the natural resources of San Diego County. Furthermore, these 116 blatant exceptions to the Update’s planning objectives constitute special treatment to selected landowners that results in inequity among property owners as well as bad planning.

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 12

G5-37. 3. The Board made parcel-specific map changes directly from the dais, without the benefit of any staff analysis. For example, “adjacent areas” were directed for increased intensity of use. (See yellow-highlighted actions in *Minute Order*, June 16, 2004 and *Board Motion – Consensus Alternative Map*, June 16, 2004.)

G5-38. 4. Higher village densities were removed from the town center in Ramona, contrary to the goal of creating a walkable village. In the process, Housing Element mandates were sacrificed. (See magenta-highlighted action in *Minute Order*, June 16, 2004.)

G5-39. Two *other* analyses performed by County staff also show that the Referral Map is significantly inferior across the board and that no substantial evidence exists for determining equivalency in meeting project objectives. The first additional analysis dates from May 2004. At that time, staff found that the proposed project was *inferior* to the Draft Map in every single goal.<sup>4</sup> (See *Land Use Scenario Comparison*, May 2004.)

The second additional analysis that contradicts the DEIR’s unsupported conclusion as to the Referral Map equally meeting project objectives comes from the DEIR itself. (See Appendix L of the DEIR, *Project Alternatives, Areas of Difference*.) Here, areas of difference between the alternatives maps are assessed against a similar set of Guiding Principles:

- G5-40. **1** Support reasonable share of projected regional population growth  
**2** Reduce land consumption and promote sustainability  
**3** Reinforce the vitality, local economy, and character of communities  
**4** Protect natural resources and habitats of ecological importance  
**5** Account for physical constraints and natural hazards of the land  
**6** Provide & support multi-modal transportation network  
**7** Sustainable communities / reduced greenhouse gas emissions  
**8** Preserve agriculture  
**9** Minimize public costs of infrastructure and services  
**10** Recognize community and stakeholder interests

A review of the comparison tables in this appendix shows a *clear and marked deficiency* of the Referral Map in fulfilling the Guiding Principles in comparison with the other maps.

G5-41. In sum, the DEIR’s determination that the preferred alternative meets each objective *as well as* the Draft Map is conclusory and plainly at odds with the DEIR’s own analysis and multiple previous staff analyses. Also, the DEIR’s oddly-phrased statement that the impacts of the Draft Map to all these resources are “similar to those discussed for the Hybrid Map

4 Goals assessed were: Develop an Internally Consistent General Plan; Meet Growth Targets; Reduce Public Costs; Improve Housing Affordability; Balance Competing Interests; Locate Growth Near Infrastructure, Services, and Jobs; Assign Densities Based on Characteristics of the Land; Create a Model for Community Development; Obtain Broad Consensus



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 13

G5-41.  
cont.

Alternative but to a lesser degree” is simply an attempt to hide the fact that the Draft Map meets the project objectives significantly better. The impacts on these resources are lessened under the Draft Map, and the Draft Map better meets the objectives.

G5-42.

These flaws in the County’s analysis make it impossible for the County to make the legal findings necessary to approve the project. In approving a project, a lead agency must make two sets of findings. The first must address how the agency responds to significant effects identified in the environmental review process, either by finding that these effects will be mitigated, or that “[s]pecific economic, legal, technological, or other considerations . . . make *infeasible* the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines § 15091, subd. (a)(3).) The second set concerns any statement of overriding considerations, permitting an agency to approve a project despite the existence of significant environmental impacts. (CEQA Guidelines, § 15093.) Because the findings requirements implement CEQA’s substantive mandate that public agencies refrain from approving projects with significant environmental impacts when there are feasible alternatives or mitigation measures that can lessen or avoid these impacts, an agency is prohibited from reaching the second set until it has properly addressed the first. (See CEQA Guidelines, § 15091, subd. (f), subd. (c); *Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal. 4th 105, 134.)<sup>5</sup>

G5-43.

These findings must be supported by substantial evidence in the record. (Pub. Res. Code § 21081.5; CEQA Guidelines, § 15091, subd. (b).) Any finding that an alternative is infeasible must not only reflect a reasoned analysis, but must be based on specific and concrete evidence. For example, in *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, the court rejected a finding of infeasibility of alternatives based on conclusory assertions of unacceptable cost, noting that:

“The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is *evidence* that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.” (Id. at p. 1181.)

G5-44.

Only if this finding of infeasibility can properly be made may a lead agency rely on a statement of overriding considerations. Here, the Draft Map outperforms or is equal to the

<sup>5</sup> While the purpose of an EIR is an analysis of environmental effects, the EIR must study a range of potentially feasible alternatives that will foster “informed decision making and public participation.” (Pub. Res. Code §15126.6(a).) “Feasible” is defined as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Pub. Res. Code §21061.1, emphasis added.) Since the lead agency further has the responsibility to “find out and disclose all it reasonably can” (14 Cal. Code Regs. section 15144), including “sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project” (14 Cal Code Regs. section 15126.6(d)).

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 14

G5-44.  
cont.

proposed project in meeting every stated project objective, and no substantial evidence exists to support a finding of its infeasibility. Pub. Res. Code §21082.2(c) (Substantial evidence excludes “[a]rgument, speculation, unsubstantiated opinion or narrative, [and] evidence which is clearly inaccurate or erroneous...”); *see also Californians for Alternatives to Toxics v. Dept. of Food & Agric.* (2005) 136 Cal.App.4th 1, 17 (“[C]onclusory statements do not fit the CEQA bill.”).

Under CEQA, the City therefore lacks the discretion to approve the proposed project.

### **The DEIR Lacks Enforceable Mitigation Measures.**

G5-45.

In order to satisfy CEQA, an EIR must describe feasible mitigation measures to minimize significant adverse impacts. (CEQA Guidelines § 15126.4 (a)(1).) These measures must be “fully enforceable though permit conditions, agreements, or other legally binding resolutions.” (CEQA Guidelines § 15126.4(2).) The DEIR fails to require mitigation measures that satisfy this standard.

G5-46.

The DEIR lists literally hundreds of purported policies and measures to mitigate significant impacts, but none of them contain any enforceable commitments of measurable performance standards. Nor does the DEIR demonstrate why such measures are infeasible. We will use the biological mitigation section to illustrate this point. We emphasize that the weaknesses in the biological impacts mitigation measures are *representative* of the inadequacies found in virtually *all* the mitigation measures proposed in the DEIR, for whatever impact.

G5-47.

G5-48.

First, we critique the policies which purport to mitigate biological impacts:

G5-49.

**Policy COS-1.3: Management.** Monitor, manage and maintain the regional preserve system facilitating the survival of native species and the preservation of healthy populations of rare, threatened, or endangered species.  
*Most of the County does not have a regional preserve system and, even as to the portion that does, it would be impossible meaningfully to enforce whatever “monitor, manage and maintain” means.*

G5-50.

**Policy COS-1.6: Assemblage of Preserve Systems.** Support the proactive assemblage of a biological preserve system to protect biological resources and to facilitate development through mitigation banking opportunities.  
*What is meant by “support . . . through mitigation banking opportunities?” It is too vague to be meaningful.*

G5-51.

**Policy COS-1.7: Preserve System Funding.** Provide adequate funding for assemblage, management, maintenance, and monitoring through coordination with other jurisdictions and agencies.  
*What is meant by “adequate?” Too vague to be meaningful.*



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 15

- G5-52.** **Policy COS-1.8: Preserve Assemblage.** Support the acquisition of large tracts of land that have multiple resource preservation benefits, such as biology, hydrology, cultural, aesthetics, and community character. Establish funding mechanisms to serve as an alternative when mitigation requirements would not result in the acquisition of large tracts of land. *Support Acquisition? How? Establish funding mechanisms? How much? Too vague to be enforced.*
- G5-53.** **Policy COS-1.9: Invasive Species.** Require new development adjacent to biological preserves to use non-invasive plants in landscaping. Encourage the removal of invasive plants within preserves. *How is this implemented? Is there a commitment to enact an ordinance? By when?*
- G5-54.** **Policy COS-1.10: Public Involvement.** Ensure an open, transparent, and inclusive decision-making process by involving the public throughout the course of planning and implementation of habitat conservation plans and resource management plans. *Already required by existing law. Unclear what is required, making it impossible to enforce.*
- G5-55.** **Policy COS-1.11: Volunteer Preserve Monitor.** Encourage the formation of volunteer preserve managers that are incorporated into each community planning group to supplement professional enforcement staff. *Encourage volunteers is ineffective. Why not fund the managers?*
- G5-56.** **Policy COS-2.1: Protection, Restoration and Enhancement.** Protect and enhance natural wildlife habitat outside of preserves as development occurs according to the underlying land use designation. Limit the degradation of regionally important natural habitats within the Semi-Rural and Rural Lands regional categories, as well as within Village lands where appropriate. *There are no standards or commitments to action. Where is "appropriate?" Therefore it is unenforceable.*
- G5-57.** **Policy COS-2.2: Habitat Protection through Site Design.** Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design. *Where is the commitment to implement?*
- G5-58.** **Policy LU-6.1: Environmental Sustainability.** Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment. *Where is the commitment to implement?*
- G5-59.** **Policy LU-6.2: Reducing Development Pressures.** Assign lowest-density or lowest intensity land use designations to areas with sensitive natural resources. *This policy is not being implemented by the Land Use Map for the Proposed Project. Numerous areas with sensitive natural resources are assigned densities other than the lowest.*



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 16

**G5-60.** **Policy LU-6.3: Conservation-Oriented Project Design.** Support conservation-oriented project design when appropriate and consistent with the applicable Community Plan. This can be achieved with mechanisms such as, but not limited to, Specific Plans, lot area averaging, and reductions in lot size with corresponding requirements for preserved open space (Planned Residential Developments). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character.

*Unclear what action, if any, constitutes "support." Also, as explained below, many Community Plans are inconsistent with this policy.*

**G5-61.** **Policy LU-6.4: Sustainable Subdivision Design.** Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and, when appropriate, provide public amenities consistent with the applicable community plan.

*If the implementing mechanism for this Policy is the Conservation Subdivision Program, that Program has been rendered largely ineffective by the Community Plans as explained below.*

**G5-62.** **Policy LU-6.6: Integration of Natural Features into Project Design.** Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.

*Unclear what the implementing mechanism is.*

**G5-63.** **Policy LU-10.2: Development—Environmental Resource Relationship.** Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.

*Unclear what the implementing mechanism is.*

Now, an evaluation of the proposed mitigation measures:

**G5-64.** **Bio-1.1** Create a Conservation Subdivision Program that facilitates conservation-oriented project design through changes to the Subdivision Ordinance, Resource Protection Ordinance, Zoning Ordinance, Groundwater Ordinance, and other regulations as necessary. It is intended that these changes will promote conservation of natural resources and open space while improving mechanisms for flexibility in project design so that production of housing stock is not negatively impacted. Additionally, any such allowances of flexibility must be done with consideration of community character through planning group coordination and/or findings required for project approval.

*As explained below, this measure has been largely negated by inconsistent Community Plans. It is therefore ineffective over most of the most sensitive portions of the County.*

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 17

- G5-65.** **Bio-1.2** Implement and revise existing Habitat Conservation Plans/Policies to preserve sensitive resources within a cohesive system of open space. In addition, continue preparation of MSCP Plans for North County and East County.  
*Unclear how revision of existing HCPs will preserve resources. No standards. Merely to "continue preparation" of MSCPs in the North and East will, without a commitment to complete, preserve nothing.*
- G5-66.** **Bio-1.3** Implement conservation agreements through Board Policy I-123, as this will facilitate preservation of high-value habitat in the County's MSCP Subarea Plan.  
*This policy will "encourage voluntary private participation" in the MSCP by offering plan benefits but not set enforceable standards. (See: <http://www.sdcountry.ca.gov/cob/policy/index.html>)*
- G5-67.** **Bio-1.4** Coordinate with nonprofit groups and other agencies to acquire preserve lands.  
*Mere "coordination" with other groups and agencies does not preserve anything.*
- G5-68.** **Bio-1.5** Utilize County Guidelines for Determining Significance for Biological Resources to identify adverse impacts to biological resources. Also utilize the County's Geographic Information System (GIS) records and the Comprehensive Matrix of Sensitive Species to locate special status species populations on or near project sites. This information will be used to avoid or mitigate impacts as appropriate.  
*The measure is utterly circular. The application of CEQA to projects is not cognizable mitigation.*
- G5-69.** **Bio-1.6** Implement the RPO, BMO, and HLP Ordinance to protect wetlands, wetland buffers, sensitive habitat lands, biological resource core areas, linkages, corridors, high-value habitat areas, subregional coastal sage scrub focus areas, and populations of rare, or endangered plant or animal species.  
*These existing provisions only apply in portions of the County.*
- G5-70.** **Bio-1.7** Minimize edge effects from development projects located near sensitive resources by implementing the County Noise Ordinance, the County Groundwater Ordinance, the County's Landscaping Regulations (currently part of the Zoning Ordinance), and the County Watershed Protection, Storm Water Management, and Discharge Control Ordinance.  
*These ordinances do not effectively accomplish purposes other than their intended purpose here. Nowhere is it explained how the application of these ordinances minimize edge effects.*
- G5-71.** In sum, none of the Update policies and purported mitigation measures is sufficiently effective and enforceable to be cognizable mitigation under CEQA. Any finding to the contrary would not be supported by substantial evidence.  
  
Nor does the DEIR show that these or other measures could not be feasibly amended to incorporate specific commitments and performance standards to make them effective. Thus, the



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 18

**G5-71.**  
**cont.** County cannot credibly assert that it has made a good faith effort to incorporate all feasible mitigation measures to reduce biological impacts.

One glaring example is the DEIR's proposed conclusion that the completion of proposed regional multi-species plans in the North and East County are not feasible because the County cannot control whether and when state and federal wildlife agencies will approve them. The DEIR states:

**G5-72.** "Adopt MSCP Plans for North County and East County that provide coverage for special status species as well as protections for wildlife corridors, habitat linkages, and core habitat areas in those regions. This measure is feasible and attainable as the County is currently in the process of preparing such plans. However, these conservation plans require approval at the federal and State levels, which the County cannot guarantee ahead of time. In addition, the timing of these programs (i.e., MSCP adoption and implementation) may not coincide with General Plan Update impacts in these areas. Therefore, this measure cannot be considered feasible mitigation for the proposed project." (DEIR 2.4-37.)

**G5-73.** This reasoning is invalid on its face and lacks substantial evidence. Under CEQA, "feasible" means "means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (Guidelines, § 15364.) Here, the DEIR never explains why federal and state approval is necessary before *the County itself* may act independently to protect the County's sensitive natural resources through the legitimate exercise of its land use authority. To the contrary, a local jurisdiction may regulate land—subject to constitutional and statutory constraints—under its inherent police power in any manner reasonably related to the public welfare, including the protection of habitat and open space. (See *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal. 3d 582, 600-601.) While state and federal wildlife agency participation and approval would certainly be *preferable*, in that obtaining endangered species permitting would incentivize landowners to participate, it is by no means *necessary to the County's commitment to enact an ordinance*. Similarly, there is no stated reason why the County may not enact an ordinance, or even a temporary moratorium on subdivision in Pre-Approved Mitigation Area Land within a time frame that coincides with impacts, *regardless* of the time frame for federal and state wildlife agency action.

**G5-74.** Because the County has not shown that it has exhausted all feasible measures to reduce significant impacts on biological resources and other resources, it accordingly cannot proceed to consider whether overriding considerations justify adoption of the proposed project consistent with CEQA.

**G5-75.** **The DEIR Falsely and Misleadingly Portrays the Conservation Subdivision Program as Effective and Enforceable Mitigation for a Broad Suite of Impacts.**

**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 19

The Conservation Subdivision Program and draft ordinance constitutes a potentially highly effective means to reduce the environmental impacts of semi-rural and rural subdivision. EHL therefore supports its adoption, and would support the broad reliance on it for mitigation in the DEIR for a broad suite of impacts, including biology, agricultural impacts, scenic vistas, fire risk, parks and open space, and aesthetics.

G5-75.  
 cont.

But the DEIR's broad reliance on the program is not warranted, since the Conservation Subdivision Program's effectiveness is largely canceled out by the provisions of Draft Community Plans. As the written analysis of Community Plans contained in EHL Draft General Plan comment letter compellingly illustrates, lot size minimums, requirements to be "consistent with community character," and other restrictions will render the program completely ineffective in large swaths of the most agriculturally and natural resource-rich areas of the County. The DEIR's failure to disclose or address the draft Community Plans' impact on the conservation subdivision violates CEQA.

**A Conflict with Draft Community Plans Invalidates the Conservation Subdivision Program's Use as Mitigation under CEQA.**

G5-76.

The Community Plans also invalidate the DEIR's proposal to rely on the Conservation Subdivision Program as mitigation. Ordinances that conflict with a general plan are invalid by operation of the general plan's inconsistent provisions. (*Leshner Communications, Inc. v. City of Walnut Creek*, 52 Cal.3d 531, 544-45 (1990).) The Community Plans, which are characterized by the County as "part of the County's General Plan," <http://www.sandiego.gov/planning/community/plans.shtml>, contain numerous provisions that are inconsistent with the ordinances that will implement the Conservation Subdivision Program. The Draft Conservation Subdivision Program itself states that projects under the Program "will require discretionary review necessitating that findings be made to assure project compatibility with community character and community plans." At the same time, the County relies on the Conservation Subdivision Program as mitigation for a wide variety of significant impacts disclosed in the EIR. Mitigation measures must be "fully enforceable through permit conditions, agreements, or other legally-binding resolutions." (CEQA Guidelines § 15126.4(2).) Because it is quite uncertain that the Conservation Subdivision Program's components will be capable of implementation, substantial evidence does not support the use of the Program as mitigation. (See, e.g., *Federation of Hillside & Canyon Associations v. City of Los Angeles*, 83 Cal. App. 4th 1252, 1259 (2000) (where there was "great uncertainty as to whether the mitigation measures would even be funded or implemented," City's finding that the mitigation measures required in, or incorporated into, a General Plan project was overturned for lack of substantial evidence supporting the finding).)

G5-77.

The inconsistencies between the Community Plans and the Conservation Subdivision Program are serious, as detailed in the analysis our Draft General Plan comments. For example, minimum lot sizes in many Community Plans, including the Central Mountain, Jamul/Dulzura, Mountain Empire-Boulevard, Mountain Empire-Potrero, North Mountain, Ramona, Valle del



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 20

G5-77.  
cont.

Oro, Crest/Dehesa, Alpine, and Fallbrook Community Plans, would make it *numerically* impossible to meet some portion of the mandatory percent avoided resources requirements or the target open space percent under the Conservation Subdivision Program. Furthermore, in virtually all the Community Plans, policies either directly prohibit achieving Conservation Subdivision objectives or create significant obstacles. (See EHL Draft General Plan comments.) If the requirements of the Conservation Subdivision Program are not met, the County's designation of the Conservation Subdivision Program as mitigation will necessarily be inadequate as a matter of law.

G5-78.

Use of the Conservation Subdivision Program's elements as mitigation permeates the DEIR. Mitigation Measures Aes-1.5, Agr-1.3, Bio-1.1, and Haz-4.4 all explicitly rely on the creation and effective implementation of this Program as mitigation for significant impacts on aesthetic, agricultural, and biological resources and hazardous materials, respectively.

While EHL fully supports implementation of the Conservation Subdivision Program and its components, the lack of an enforceable commitment to the Program's features, in light of the Community Plans' clear inconsistency with the Program, renders the DEIR's mitigation invalid.

G5-79.

### **The Land Use Element of the Proposed Project Is Inconsistent with the Safety Element.**

General Plans must be internally consistent. (See Government Code § 65003.5.) Here, the proposed project is completely at odds with Safety Element policies requiring that land in very high fire risk areas be designated at the lowest density to avoid putting people at unnecessary risk. Indeed, virtually *all* of the density increases to the Draft Map in the proposed project are in the very highest fire risk designation.

G5-80.

The Safety Element of the proposed General Plan proposes a key policy—to use the land use planning process to minimize the exposure of persons to wildfire risk. Specifically, the Plan provides:

**“Policy S-1.1 Land Use Designations.** Minimize the population exposed to hazards *by assigning land use designations and density allowances that reflect site specific constraints and hazards.* (Draft Update at p. 7-4, emphasis added.)

Similarly, the DEIR proposes as mitigation that the County

“[i]dentify and minimize potential fire hazards for future development by using and maintaining a database that identifies fire prone areas, locating development away from Fire Hazard areas whenever practicable” (Haz-4.1, DEIR p. 7-59.)

But instead of paying heed to these policies and measures, the County in its proposed project does the exact opposite by accepting referral amendments to the Draft Map, *virtually all of which*

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 21

**G5-80.** *increase the amount of development in areas designated "Very High Fire Risk," the most dangerous fire risk designation established by CALFIRE. (See Fire Safety Impacts Map.)*  
**cont.**

In assessing General Plan consistency, courts have prohibited this type of inconsistency. In *Endangered Habitats League v. County of Orange* [cite], the court found a project inconsistent with the general plan, noting that:

**G5-81.** "Consistency requires more than incantation, and a county cannot articulate a policy in its general plan and then approve a conflicting project. (*Napa Citizens for Honest Government v. Napa County Bd. of Supervisors*, *supra*, 91 Cal.App.4th at pp. 379-380.) Since no reasonable person could have made the consistency finding on the record before us, it must be set aside as arbitrary and capricious. (*Families Unafraid to Uphold Rural Etc. County v. Board of Supervisors*, *supra*, 62 Cal.App.4th at p. 1338.)"

In the event the County selects the proposed project, it will have taken an action that no reasonable person could reconcile with a General Plan policy to avoid density increases in fire prone areas. But that is exactly what the County is proposing to do, in violation of Government Code Section 65300.5 requiring internal consistency within General Plans.

### **The Conservation Subdivision Program Is Inconsistent with the Community Plans Incorporated into the General Plan.**

**G5-82.** As noted, EHL, in its comments on the Draft General Plan, describes in detail the irreconcilable conflicts between the Conservation Subdivision Program and other portions of the General Plan contained in the Community Plans. These elements are impossible to reconcile because the more restrictive Conservation Subdivision policies are impossible to implement given the limitations contained in the Community Plans. The General Plan itself is therefore internally inconsistent (See Govt. Code §65300.5; *Sierra Club v. Board of Supervisors*, 126 Cal.App.3d 698 (1981).)

It makes no difference that there is language in the Conservation Subdivision Program document purports to make it subservient to the Community Plans. (See EHL Draft General Plan comments.) All elements have equal status and no element may be made subordinate to another. (See *Sierra Club v. Board of Supervisors*, 126 Cal.App.3d at p. 708.)

### **The DEIR Underestimates Agricultural Impacts.**

**G5-83.** In analyzing the Project's impacts on existing and potential agricultural viability, the DEIR inexplicably assumes that subdivisions even at a density of one unit per two acres, agriculture will remain viable even after one and a half acres is assumed lost to a residential



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 22

- development footprint. In other words, the DEIR assumes that if a 100-acre parcel is subdivided into 50 two-acre lots, 25 acres on 50 tiny half-acre farms will still exist. (DEIR 2.2-15 to 2.-16.)
- G5-83. cont.** This assumption lacks substantial evidence, defies common sense, and serves to mask the true impact that subdivision has on the County's agricultural base. To comply with CEQA, more realistic and empirically justified method must be used in a revised DEIR to analyze impacts on commercial agriculture.
- G5-84.** In addition, the DEIR lacks any discussion of the impact of adding approximately a quarter million people to the County population will have on the availability of water for agriculture. There can be no doubt that as pressure to use dwindling water supplies to accommodate a growing population increases, current agriculture will become infeasible in some places for lack of affordable water. Yet the DEIR is silent on this issue, again in violation of CEQA.
- G5-85.** Finally, the project's impacts on agricultural resources is deemed significant, and the County relies on the Conservation Subdivision Program to reduce this impact to the extent feasible. The DEIR does not disclose, however, that the Draft Community Plans in much of the agriculturally active parts of the County actually preclude or significantly impair proper application of the Program. (See EHL Draft General Plan comments.) The result is a misleading impression that the impacts on agriculture from parcelization will be ameliorated, when actually that will not be the case.
- The Water Supply Analysis Is Insufficient**
- The Water Supply Discussion Fails to Adopt Feasible Mitigation to Address Shortages Caused by Update Adoption.**
- G5-86.** The purpose of an EIR is to inform the public and decision makers about the potential impacts of a project so that a reasoned decision may be made about whether it should be approved or rejected. (CEQA Guidelines § 15002(a)(1)-(4).) With regard to water supply, the DEIR should have disclosed the amount of water that the Project would use, the sources of such water, and then used that information to determine whether or not the Project would have a significant impact on water supply or on the environment as a result of the water supply. Since the DEIR did none of these things, it is woefully inadequate and the DEIR's conclusions about water supply lack substantial evidence.
- As stated by the Supreme Court of California, "CEQA's informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project. Decision makers must, under the law, be presented with sufficient facts to evaluate the pros and cons of supplying the amount of water that the [project] will need." (*Vineyard, supra*, 40 Cal.4<sup>th</sup> at 431, internal citations and quotations omitted.) The omission also prevents the DEIR from discussion of the water-saving mitigation measures that should be

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 23

G5-86.  
cont.

required for all development in water-scarce Southern California.

The DEIR acknowledges that regional water supply planning has not kept pace with the growth envisioned in the proposed project. The DEIR states:

“SANDAG updates its growth forecast approximately every five years. Water districts update their demand forecasts and supply needs based on the most recent SANDAG forecast approximately every five years to coincide with preparation of their UWMPs. Because the proposed General Plan Update has undergone multiple revisions over the past years, *the planning documents upon which various water districts rely to secure a sustainable long term supply of potable water to the unincorporated County, including UWMPs, IRPs and the Regional Water Facilities Master Plan, do not currently account for the growth proposed under the General Plan Update. Therefore, the proposed General Plan Update would result in increases in population and housing in areas that may not have been accounted for in the most current water planning documents.*” (DEIR at p. 2.16-46, emphasis added.)

Accordingly, the SDCWA is hoping that increased local supply and decreased consumption will help reduce the uncertainty of future supply:

G5-87.

“An integral assumption in the SDCWA’s water demand projections is that water conservation will increase significantly, more than tripling by 2020. Increased water recycling and increased use of groundwater also play important roles in making sure SDCWA is able to provide enough water in the future (SDCWA 2009).” (DEIR p 2.16-48.)

But projected water supply is not enough, creating a significant impact requiring the consideration of all feasible mitigation. Here, the County falls short. The DEIR states:

“The option of curtailing development (i.e., no project alternative) in the unincorporated County in locations where sufficient water is potentially not available at build-out would be the responsibility of the County, which has the land use authority to approve or deny proposed development projects. *Reducing the development densities identified in the proposed General Plan Update would result in the proposed project not meeting its project objectives.* Chapter 4.0, Project Alternatives, provides a discussion of several land use alternatives to the proposed project that would result in reduced impacts associated with water supply as compared to the proposed project.” (DEIR at p. 2.16-49, emphasis added.)

G5-88.

The County appears to be concluding that development should proceed to meet arbitrary growth targets, even if there is no imported or other source of water. This is absurd on its face..

Indeed, the failure to coordinate development with Water Supply Planning Policy appears



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 24

G5-88.  
cont.

inconsistent with the Draft Plan itself. Policy LU-13.1 requires coordination of water infrastructure planning with land use planning, as does Mitigation Measure USS-4.7. But if no water supply planning document can be said to account for the growth in the Plan, then how can these measures and Policies be meaningfully carried out?

G5-89.

Nor is it an answer to improperly defer addressing future water supply to the project level through reliance on SB 610 and SB 221 compliance. (See DEIR at 2.16-74) Many features of the Plan function as an integrated whole, such as the Mobility and Land Use elements. If there is no water to build out the development, then what a waste it would be to build the extra roads to accommodate it.

G5-90.

In sum, the DEIR does not come to terms with an inadequate water supply and the corresponding reduction in water for the existing population. Pacing development at the planning level with water supply availability, including with moratoria if necessary, is not only feasible, *it is necessary*. The DEIR fails to provide substantial evidence of its infeasibility.

G5-91.

**Although the DEIR Correctly Concludes the Proposed Project Has Significant Impacts on Groundwater Resources, It Fails to Adopt Feasible Mitigation and Less Impactful Alternatives, Precluding Reliance on a Statement of Overriding Considerations.**

The DEIR correctly recognizes the severe challenges the lack of groundwater poses to further development in areas not served by SDCWA-imported water. Indeed, the DEIR recognizes that insufficient groundwater exists to support the proposed project in about 10 groundwater basins, and significant direct and cumulative impacts to groundwater resources will result.<sup>6</sup> Thus, the DEIR concludes that:

6 “The proposed General Plan Update would designate land uses requiring groundwater dependency in areas currently experiencing a high frequency of wells with low well yield, which would exacerbate existing groundwater impacts and potentially result in an inadequate water supply for additional users. The General Plan Update Groundwater Study indicates that the *build-out development of future land uses as designated in the proposed General Plan Update would not be supported by adequate groundwater due to some wells having low-well yield in the portions of Lakeside, Ramona, and Morena Village and areas with steep slopes.*” (DEIR at p. 2.8-40, emphasis added.)

“Table 2.8-6 identifies the 10 impacted groundwater basins in terms of existing minimum groundwater in storage and estimated minimum groundwater in storage at maximum build-out of future land uses as designated in the proposed General Plan Update. *Seven of these 10 basins are expected to experience an estimated minimum groundwater in storage level of zero percent at a maximum buildout. This reduction in groundwater in storage would substantially deplete groundwater supplies to a level that would not support the development of future land uses as designated in the proposed General Plan Update.* Therefore, this would be considered a potentially significant impact.” (DEIR, at 2.8-38, emphasis added.)

“Implementation of the proposed General Plan Update would designate land uses in areas that are currently experiencing groundwater supply impacts from large quantity and clustered groundwater users.

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 25

G5-91.  
cont.

“there are multiple areas in the unincorporated County that are currently experiencing groundwater supply impacts. Implementation of the General Plan Update would allow land uses and development to occur in these areas, thereby worsening an already unsustainable groundwater supply.” (DEIR at p. 2.8-42.)

In other words, the proposed project contemplates allocating growth where physical conditions do not support increased human habitation. (See *Groundwater Impacts Map*.) For this reason, the Referral Map is also flatly inconsistent with Plan Policies *requiring* that densities be *reduced* not increased, in areas with insufficient water. The Plan provides:

**“Policy LU-8.1: Density Relationship to Groundwater Sustainability.** Require land use densities in groundwater dependent areas to be consistent with the long-term sustainability of groundwater supplies, except in the Borrego Valley.” (DEIR, at 2.16-69.)

But as the Groundwater Impacts Map clearly shows, the Referral Map repeatedly violates this policy by increasing densities in areas identified as having a groundwater shortage.

G5-92.

The analysis also falters when the DEIR attempts to address what is feasible mitigation. The DEIR posits a “no development” measure that would “[i]mplement a Countywide moratorium on building permits and development applications in any areas of the County that would have the potential to adversely impact groundwater supplies and recharge.” (DEIR at p. 2.8-16.) Conceding that it would be effective because it “would effectively result in no new impacts to groundwater supplies and recharge within the unincorporated County,” the DEIR rejected the measure as infeasible. The DEIR reasoned that “[t]his measure would impede the County’s ability to implement the General Plan Update because it would prohibit future development in areas identified for increased growth in the General Plan Update.” (DEIR at p. 2.8-16.)

This reasoning is absurd on its face. In essence, the DEIR is saying that areas arbitrarily identified for increased growth should inexplicably remain that way, even if the basic substances necessary to support human life are not found there. What overarching public or planning purpose could possibly be served by stubbornly locating growth where there is no water, imported or otherwise? The DEIR does not say, instead lamely explaining that a measure that would sensibly limit building new homes where there is no water “would conflict with the

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*Ballena Valley (Ramona CPA), Guatay (Central Mountain Subregion), Julian Town Center in Julian CPA, and Morena Village (Mountain Empire Subregion) have been identified under existing conditions as potentially experiencing groundwater problems from large quantity and clustered groundwater users. Under implementation of the proposed General Plan Update, these areas would also face potentially significant groundwater supply issues because existing drawdown would have the potential to prevent future wells from meeting their proposed land use objectives.” (DEIR at p. 2.8-39, emphasis added.)*



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 26

G5-92.  
cont.

project objective to support a reasonable share of projected regional population growth.” (Id.) But is it *necessary* to locate homes where there is no water to meet a population growth goal? Setting aside the question of whether such growth is necessary to meet this goal (it isn’t, as explained, *supra*), why couldn’t this relatively small amount of additional growth be feasibly relocated to places in the County where there *is* available water? The DEIR does not address this obvious question.

G5-93.

Nor does the DEIR address why alternatives to the proposed project, such as the Draft Map, which have less impacts in areas where significant groundwater impacts are identified, were not recommended. As explained above, the Draft Map better meets all project objectives, including accommodating a reasonable share of projected population, than does the proposed project. There is simply no legitimate reason why additional growth should be planned for groundwater-constrained areas, when there are feasible means of relocating this growth. Because no substantial evidence exists that significant direct and cumulative impacts on groundwater cannot feasibly be mitigated—such as by adopting the Draft Map—the County is precluded from approving the proposed project under CEQA via a finding of overriding considerations.

G5-94.

Finally, the DEIR should have examined the effect of a lowering water table on plant communities, including coastal sage scrub, and the animal communities that depend upon them. If the Project may lead to desertification similar to that seen in the Owens Valley, the public has a right to know. From a public safety standpoint, the DEIR must analyze the effect that increased pumping will have on contaminant concentrations and movement in the water table.

G5-95.

Water plans have been found inadequate for failing to analyze such issues in the past. (*Friends of Santa Clara River v. Castaic Lake Water Agency* (2004) 123 Cal.App.4th 1.)

### **The Project Fails to Account for California’s Drought.**

G5-96.

The Project may also have a significant impact on water supply due to California’s drought. A project will normally have a significant effect on the environment if the County “would not have sufficient water supplies available to serve the project from existing entitlements and resources.” According to the DEIR, the revised Project is either groundwater dependent or located within the service area of the San Diego County Water Authority, the largest of the Metropolitan Water Department’s member agencies. Unfortunately for MWD and its member agencies, the Colorado River Basin has experienced drought conditions in eight out of the last nine years, and the Sierra Nevada snow pack is declining. MWD water imports have declined accordingly. Governor Schwarzenegger declared an official statewide drought on June 4, 2008.

A federal court order, issued to protect the smelt population of the delta, also drastically reduced MWD’s water imports from the Delta. (*Natural Resources Defense Council v. Kempthorne* (E.D.Cal. Jul 03, 2007) 2007 WL 1989015, NO. 1:05-CV-1207 OWW.) As a result, MWD has declared a Condition 2 Water Supply Alert, a “[r]egional call for cities,

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 27

counties, member agencies and retail water agencies to implement extraordinary conservation through drought ordinances and other measures” (<http://www.mwdh2o.com/mwdh2o/pages/yourwater/WaterAlert/levels.html>, incorporated by reference.) MWD’s website, explains the agency’s new strategy: “with water uncertainties facing Southern California, the challenge ahead is to lower demand and stretch our reserve supplies as much as possible” (<http://www.mwdh2o.com/mwdh2o/pages/yourwater/WaterAlert/>, incorporated by reference.) Faced with cutbacks to its member agencies as early as 2009, it is unlikely that MWD will be able to supply the County Water Authority with its usual allotment, let alone additional water for additional growth. As a result, Project may not have sufficient water supplies and thus may have a significant effect on water supply.

G5-96.  
cont.

Further, the water supply claimed by the DEIR may be no more than “paper water,” entitlements which exist in contract, but which are not available to actually serve a project. “CEQA’s informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project. Decision makers must, under the law, be presented with sufficient facts to ‘evaluate the pros and cons of supplying the amount of water that the [project] will need.’” (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 430-431.) “[T]he future water supplies identified and analyzed must bear a likelihood of actually proving available; speculative sources and unrealistic allocations (‘paper water’) are insufficient bases for decision-making under CEQA. [Citation.] An EIR for a land use project must address the impacts of *likely* future water sources, and the EIR’s discussion must include a reasoned analysis of the circumstances affecting the likelihood of the water’s availability. [Citation.]” (*Id.* at p. 432.)

### **Air Quality Impacts are Underestimated.**

G5-97.

The San Diego Air Basin is in nonattainment for PM-2.5. It also contains within the unincorporated area large interstate freight corridors carrying heavy traffic volumes and large amounts of freight in diesel-powered trucks, many of which come from Mexico. These interstate corridors include Interstate 15, Interstate 5, Interstate 805, and Interstate 8. The proposed project proposes to locate residential development adjacent to these heavily-travelled corridors (300 meters). Even though these areas have potentially dangerously high ambient levels of fine particulates, the DEIR ignores the impact of locating development along these Corridors, in violation of CEQA. The planned urban node development next to the I-15 near SR 76 is one notable example.

G5-98.

The critical public health problems associated with particulate pollution from highways that threatens the health of millions who are exposed within the high pollution zone near freeways is now well known. Unlike ozone, fine particles are emitted directly from tailpipes, and are most concentrated adjacent to the freeways. The California Air Resources Board (“CARB”) recognizes that “air pollution studies indicate that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas.” EPA estimates that in a moderate sized city, particle



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 28

G5-98.  
 cont.

pollution causes 25 to 50 increased deaths for each 0.5 µg/m<sup>3</sup> above the national standard. The studies conducted in the L.A. basin show that concentrations of black carbon (one of the most hazardous components of the fine particles) downwind from highways with heavy truck traffic can be 12-13 µg/m<sup>3</sup> greater than concentrations found in urban air upwind of the highways. Particle concentrations greater than the regional average are measured at least 300 meters from heavily trafficked highways.

These are serious impacts to areas next to these roads, and at a minimum create a fair argument of a potentially significant impact. But the DEIR does not even discuss these effects, much less feasible ways to mitigate them by locating development away from heavily traveled freight corridors. Until it does so, it cannot be approved consistent with CEQA.

**The Analysis of Greenhouse Gas Emissions is Inadequate.**

While the State is now moving to reduce greenhouse gases, it is not the State's responsibility alone. Emission of greenhouse gases is an environmental impact that *must* be mitigated, as has increasingly been recognized by California Courts. A recent Riverside County Superior Court Ruling in *Center for Biological Diversity v. City of Desert Hot Springs* (Case RIC464585) applied the rigorous 9<sup>th</sup> Circuit requirements for analysis of greenhouse gas under NEPA (the federal analog to CEQA) to CEQA review as well [global warming is "precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."].

G5-99.

For more information on the causes of, and methods to reduce greenhouse gases, see comment letters from the Attorney General addressing the requirements of GHG analysis under CEQA [http://ag.ca.gov/globalwarming/pdf/comments\\_Concord\\_reuse\\_plan.pdf](http://ag.ca.gov/globalwarming/pdf/comments_Concord_reuse_plan.pdf), [http://ag.ca.gov/globalwarming/pdf/comments\\_Tidewater\\_Crossing.pdf](http://ag.ca.gov/globalwarming/pdf/comments_Tidewater_Crossing.pdf), incorporated by reference, and California Attorney General addressing much of the technical background on climate change, and requesting an analysis of climate change. Also See Exhibit F, The Center for Biological Diversity Report: The California Environmental Quality Act Addressing Global Warming Impacts at the Local Agency Level.

G5-100.

In order to show that the proposed new development is consistent with California's plans to stabilize GHG emissions, the DEIR must demonstrate that new construction would result in a thirty percent reduction in business-as-usual emissions by 2020. (CARB, *Climate Change Proposed Scoping Plan* (Oct. 2008); CARB, *Preliminary Draft Staff Proposal re Significance Thresholds* (Oct. 24, 2008); <http://www.arb.ca.gov/cc/scopingplan/document/psp.pdf>, incorporated by reference.) Further, the DEIR must demonstrate that the proposed new development will not impede the long-range goal of reducing GHG emission 80 percent below 1990 levels by the year 2050. (*Id.*) This latter target is consistent with the scientific consensus of the reductions needed to stabilize atmospheric levels of GHGs. (*Id.*)

**The County Ignores Feasible Mitigation for Greenhouse Gases.**

**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 29

G5-101.

To be in conformity with the statewide goal of reducing GHG emissions, the Project should emit as little GHG as is feasible. This Project does not meet that standard, again precluding the County from making the necessary predicate finding to a statement of overriding considerations.

Much more could feasibly be done to mitigate impacts. As mentioned above, the California Attorney General's office has developed a detailed list of potentially feasible mitigation measures, which is available at [http://ag.ca.gov/globalwarming/pdf/GW\\_mitigation\\_measures.pdf](http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf), incorporated by reference.

G5-102.

**The Draft Environmental Impact Report (DEIR) Did Not Adequately Analyze the Earthquake-Related Risks to Persons at the Project.**

Under CEQA, the DEIR was required to "identify and focus on the significant environmental effects" of the Project, including "health and safety problems caused by the physical changes" to the environment. (CEQA Guidelines § 15126.2(a).)

G5-103.

The November 2008 Southern California Shakeout simulation illustrates the potential for an earthquake to kill via fire, structural collapse, and landslides. One of the most critical problems after an earthquake is emergency access to damaged areas. The DEIR fails to account for access by residents, emergency responders, and especially fire services after an earthquake. It also fails to discuss the potential for an earthquake-induced electrical failure that would trigger a failure of the water system, potentially compounding earthquake-induced fire hazards.

G5-104.

The Shakeout also brought to the forefront the potential for danger from very large but distant seismic events on the San Andreas Fault or San Jacinto Fault. The final EIR should include this in its analysis.

G5-105.

**The DEIR Fails to Accurately Evaluate the Provision of Emergency Services.**

The DEIR fails to acknowledge the significance of the Project's impacts on the City's ability to provide emergency fire service in the event of the inevitable wildfire, but then fails to adequately address this risk with feasible mitigation. As noted above, the proposed project increases densities—and therefore higher service demands—in high fire risk areas relative to the alternative Draft and Hybrid Maps. Adoption of an alternative that reduces the amount of development in the backcountry, such as the Draft Map, has not been shown to be infeasible and would measurably reduce fire and other emergency service demands by reducing the number of people living in hard-to-reach rural and semi-rural homes in fire prone areas

G5-106.

The DEIR and the all the Draft Updates also overestimate the adequacy of fire and other emergency response services by looking solely at *travel* time, and not *response* time. Service shortages, variations in personnel availability, variations in ISO rating, and other factors critical to service adequacy are literally ignored. And in areas in wildlands at severe risk of a major



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 30

G5-106.  
 cont.

conflagration, what would the response time be if multiple stations had to respond? Would five trucks and engines be sufficient? These issues must be addressed, analyzed, and mitigated in the final EIR.

**The Solid Waste Discussion Improperly Rejects Feasible Alternatives.**

The DEIR generally does a good job of evaluating the County's landfill crisis, recognizing that the County will likely run out of landfill space as early as 2016. (DEIR at 2.16-[fill].) The Project's impacts on solid waste generation and disposal is not just significant, it is a full-blown crisis.

Yet the DEIR inexplicably fails to rise to the challenge of addressing this crisis with feasible mitigation. The DEIR instead falls back on a "growth at any cost" position. The DEIR states, when rejecting as infeasible a commonsense measure tying new development to a demonstration of sufficient landfill capacity:

G5-107.

"Require all proposed development to obtain written verification of sufficient landfill capacity for the next 20 years. This mitigation measure would prove infeasible because existing landfill facilities are not projected to have sufficient capacity to serve future demand. Therefore, this measure would impede the County's ability to implement the General Plan Update because it would prohibit future development in areas identified for increased growth in the General Plan Update. This mitigation measure would conflict with the project objective to support a reasonable share of projected regional population growth because new development would be unable to obtain verification of adequate landfill capacity for the next 20 year and, therefore, future growth in the unincorporated County would be prohibited. For the reasons listed above, this mitigation measure would not be implemented." (DEIR at p.2.16-72.)

Stated more succinctly, the County's apparent position is that development should proceed to meet arbitrary growth targets, *even if there is no place to put the trash!* What alternative scenario does the County envision if it permits development without landfill capacity? Should people burn trash in their backyards? Throw it on the roadside? Create illegal neighborhood dumps? Truck it to another County or to Mexico? None of these options appears superior to linking development to landfill capacity. Obviously, therefore, it is the County's *failure* to link development to the existence of sufficient landfill capacity that is infeasible, not the other way around. The DEIR must be revised to adopt this measure.

**The Project Will Have Significant Indirect Growth-Inducing Impacts.**

G5-108.

Although the DEIR recognizes the growth impact inherent in the project (DEIR at 3-2 to 3-4), it fails to recognize significant *indirect* impacts of the Update. First, because the Referral Map often permits small "islands" of higher density designations in the midst of lands permitted at rural densities, these "islands" may be used to justify General Plan Amendments to further

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

Devon Muto, DPLU  
County of San Diego  
EHL Comments on General Plan Update DEIR  
August 28, 2009  
Page 31

- G5-108. cont.** “densify” adjacent lands on the basis that such densification is consistent with that permitted by the proposed project. Second, the DEIR fails to address the integrity of the General Plan if the majority of the pending projects are approved under the “old rules,” again creating “islands” of density that could be used in subsequent applications to justify increased densification on adjacent lands.
- G5-109.**
- G5-110.** Both of these issues should be fully explored in a revised DEIR. If indirect growth inducing impacts deemed to be significant, feasible mitigation needs to be explored, including the development of a land use policy that would prohibit consideration of the densities permitted on adjacent “islands” when considering an application for a General Plan amendment
- The Proposed Project Cannot Be Approved Consistent with State Law Because It Has Not Been Shown that It Provides the County’s Allocation of Affordable Housing.**
- To meet State law requirements, a local jurisdiction’s housing element must demonstrate site development capacity sufficient to meet its allocation under the regional housing needs assessment (RHNA) process. (See Gov’t Code § 65583(a)(3).) While the documentation made available does contain such an assertion, it appears to be based on the densities contained within the Draft Map and/or Hybrid Map alternatives. (See generally Housing Element Background Report (Appendix H), July 2009. Specifically, Appendix L of the DEIR, entitled Areas of Difference (AOD), notes that the Draft Map is “the map where the Board directed continued refinements relating to meeting the Housing Element allocation.” (DEIR, Appendix L, at p. viii.), and the Hybrid Map “includes the Housing Element sites.” (Id.) In notable contrast, the description for the Referral Map (the Proposed Project) there is no reference to its having included the Draft Map’s housing element sites.
- G5-111.** In fact, the opposite is the case. The evidence shows that the Referral Map *reduced* densities in village residential areas, densities which are absolutely necessary to meet the unincorporated area’s minimum regional housing needs assessment (RHNA) allocation. For example, the AOD Site Analysis for RM-3 in the Ramona Community Planning Area reflects that high-density areas in the Draft and Hybrid Maps that were prepared “as part of the Housing Element preparation” were *removed* in Referral Map. The density increase at this site was made an explicit part of the Site Inventory that was apparently submitted for certification by the California Housing and Community Development Department. (See App. H at p. 91, 93 [“The density in location R-3 (Appendix H1) was increased from 15 units per acre to 20 units per acre and the parcels are under common ownership. . . To meet the RHNA for lower-income families, the residential sites inventory relies on sites designated at 20 to 30 dwelling units per acre”].)
- Indeed, when creating the Referral Map, the Board of Supervisors ordered the *removal* of several sites suitable for very low or low income housing and needed to satisfy the County’s RHNA allocation. On June 16, 2004, in a Minute Order, the Board ordered that higher density designations in Ramona be removed from the Referral Map. The Minute Order states:



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 32

- a. "In the Ramona area, eliminate the designations on vacant properties designated 24 dwelling units per acre and 14.5 dwelling units per acre where they may be, they are mostly in the town center area, but if there are some outside, they are to be included. Direct staff to designate these properties for analysis purposes with nothing more dense than 7.3 dwelling units per acre and to work with the Ramona Town Center working group on density and design in the town center area and if there is community consensus, then bring it back at the appropriate time for the Board to take another look at higher densities."

As a result, for Table Table H1-1 *Residential Sites Inventory—General Plan Update*, those units in the designations Village Residential 20 and Village Residential 24 would no longer contribute to the total of "potential units" available to meet very low income housing requirements. The potential units eliminated from the Referral Map in Ramona total 315.

**G5-111.**  
**cont.**

Moreover, all the 20 du/acre density areas in Fallbrook, County Islands, and Alpine that were added to the Draft Land Use and Hybrid Maps specifically to meet the County's RHNA allocation *were not added to the Referral Map*. A visual comparison of the Community Plan Area Referral Maps for these areas as compared with the corresponding maps contained in Appendix H makes this clear. As shown in Table H1-1, the amounts added to the Draft and Hybrid (but not Referral) Maps are as follows:

Fallbrook (F1-1)	165 units in VR-20
County Islands (C1-1, C1-2)	816 units in VR-20
Alpine (A-1)	227 units in VR-20

As a result, the Referral Map lacks suitable sites for 1,523 low and very low income units that are contained in the Draft Land Use and Hybrid Maps and that were submitted to the California Department of Housing and Community Development (HCD) for certification. Because the Draft and Hybrid Maps contain suitable sites for only 67 excess very low income units and 592 excess low income units, there is no possible way the proposed project can be found to meet the required RHNA allocation target.

**G5-112.**

Government Code section 65863(b) prohibits local jurisdictions from reducing the residential density below that density used by HCD to determine compliance with housing element law, unless the reduction is (1) found consistent with the housing element and (2) remaining sites exist sufficient to accommodate the County's RHNA allocation, including for low and very-low income housing. The County can make neither finding with respect to the Referral Map. Moreover, the Referral Map is inconsistent with the Housing Element. Accordingly, state law flatly prohibits the County from adopting the proposed project.



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

Devon Muto, DPLU  
 County of San Diego  
 EHL Comments on General Plan Update DEIR  
 August 28, 2009  
 Page 33

**Conclusion****G5-113.**

EHL strongly urges the County to consider these comments its preparation of the final EIR for the General Plan Update and, for the reasons outlined in them, to adopt the Draft Land Use Map alternative, accompanied by the error corrections listed in our Draft General Plan Comments. EHL also requests that the Community Plans be made consistent with the Conservation Subdivision Program and implementing ordinances. Finally, EHL requests that the County commit in the Update to completion of adequately funded Multiple Species Conservation Programs in the North and East County and enact an implementing ordinance as feasible mitigation for significant biological impacts.

Sincerely,



Michael D. Fitts  
 Staff Attorney

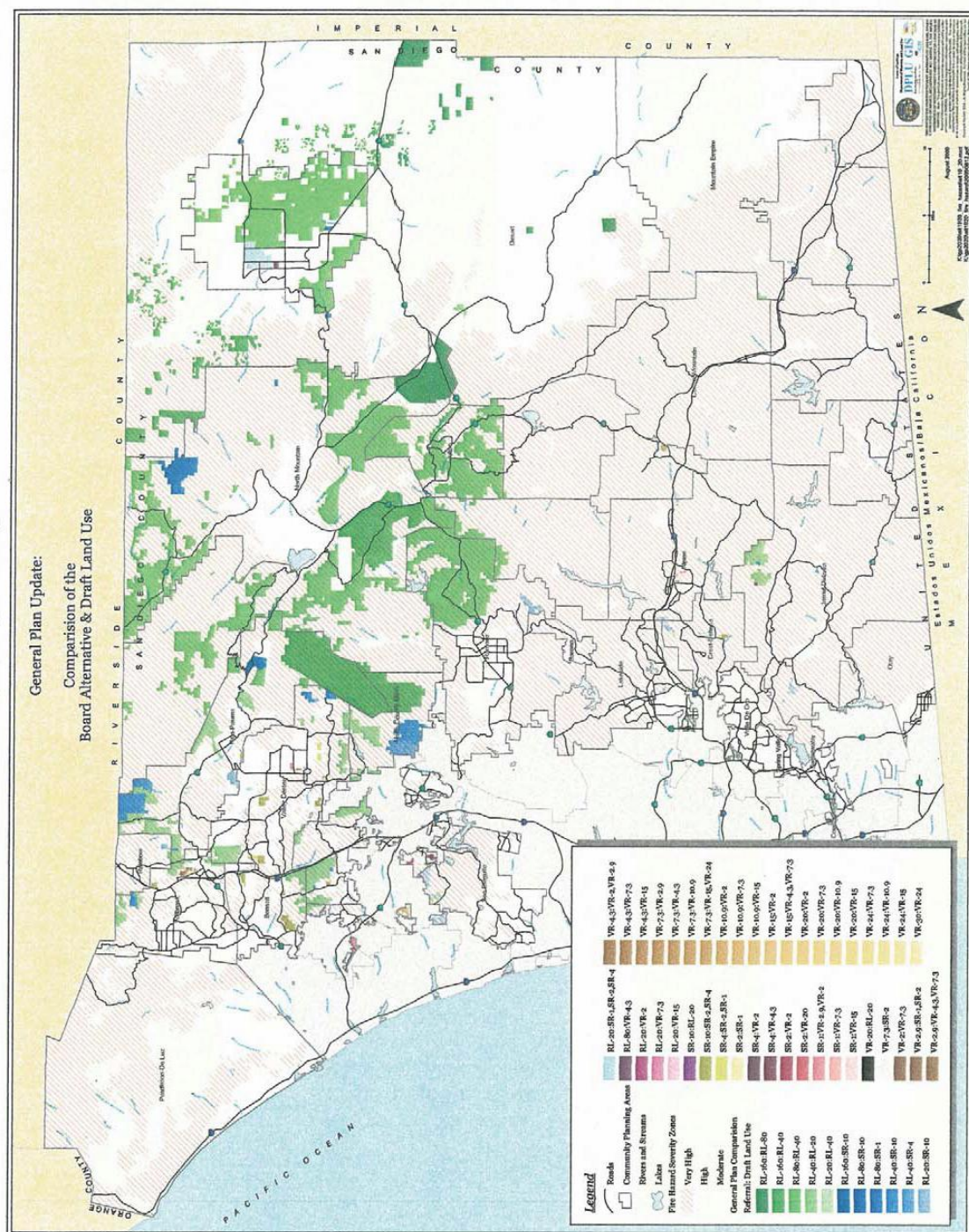
**Exhibits****G5-114.**

*Fire Safety Impacts Map (Comparison of Referral and Draft Maps)*  
*Groundwater Impacts Map (Comparison of Referral and Draft Maps)*  
*Land Use Scenario Comparison, May 2004*  
*General Plan 2020 Residential Referrals, October 1, 2003 (electronic copy only)*  
*Minute Order, June 16, 2004*  
*Board Motion – Consensus Alternative Map, June 16, 2004*

Electronic copies: Board Offices  
 Chandra Wallar, LUEG  
 Eric Gibson, DPLU  
 Jeff Murphy, DPLU  
 Claudia Anzures, County Counsel  
 Interested parties

### Fire Safety Impacts Map

General Plan Update:  
Comparison of the  
Board Alternative & Draft Land Use

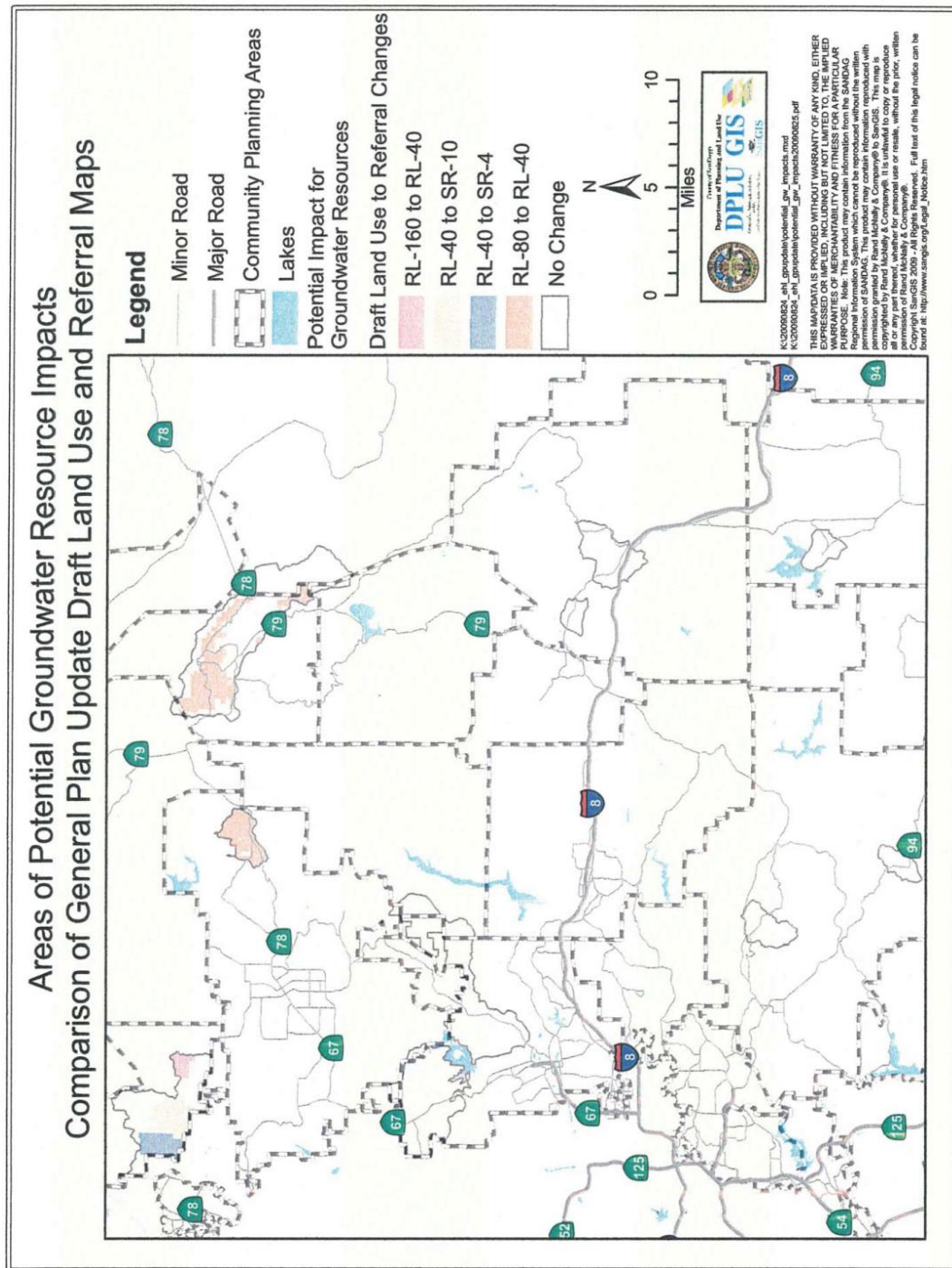




# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-114.  
cont.

## Groundwater Impacts Map



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

*Land Use Scenario Comparison:  
Conformance with GP2020 Objectives*

ATTACHMENT G

### LAND USE SCENARIOS COMPARISON Conformance with GP2020 Objectives

#### INTRODUCTION

This attachment provides a detailed analysis of how the Existing General Plan, the December 2002 and August 2003 Working Copy maps, and the Board Referrals Scenarios do (or do not) meet the nine GP2020 objectives.

#### EXISTING GENERAL PLAN

1. ***Develop an Internally Consistent General Plan:*** This plan, developed during the 1970s, has never been comprehensively revised. Over the years, it has been amended many times, in some cases to correct deficiencies. It needs to be updated for compatibility with existing State laws and standards.
2. ***Meet Growth Targets:*** The plan capacity is more than 101,000 persons above the County's target population of about 661,000 persons.
3. ***Reduce Public Costs:*** This plan creates high public costs for infrastructure and services. Cost estimates for road construction alone are \$7.7 billion.
4. ***Improve Housing Affordability:*** This plan relies on large-lot development to house the County's future population, and contains inadequate amounts land planned for medium to high-density development. This plan also makes it difficult to cluster development, which reduces housing costs.
5. ***Balance Competing Interests:*** When developed to its full capacity, this plan would transfer much of the private land used for agriculture or habitat preservation to large-lot residential developments.
6. ***Locate Growth Near Infrastructure, Services, and Jobs:*** About 40 percent of the total population in 2020 would be located in remote areas outside the CWA boundary, which are poorly serviced by roads, emergency services, schools and other public services.
7. ***Assign Densities Based on Characteristics of the Land:*** Most physically constrained and/or environmentally sensitive areas contain a maximum density of 1 du/4,8,20 acres (depending on slope), which is typically too high a density for areas with floodplains, steep slopes, or sensitive environmental habitats.
8. ***Create a Model for Community Development:*** Although this plan contains "current urban development areas", it does not address community-based development patterns. In addition, this plan does not support the development of town centers and rural villages in many communities with substantial existing or future populations.

G5-114.  
cont.



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

*Land Use Scenario Comparison:  
Conformance with GP2020 Objectives*

ATTACHMENT G

9. **Obtain a Broad Consensus:** Broad based interest groups, and many Community Planning or Sponsor Groups, do not support this plan.

### GP2020 WORKING COPY MAPS

1. **Develop an Internally Consistent General Plan:** The distribution of residential land use densities in these plans seeks to minimize environmental impacts and apply the proposed planning principles in a consistent manner across the County. GP2020 will be developed and reviewed for consistency with State standards.
2. **Meet Growth Targets:** These plans produce population projections that are about 10,600 to 12,500 persons over the target population.<sup>1</sup>
3. **Reduce Public Costs:** These plans reduce public costs by reducing population capacity and by relocating growth to areas with existing infrastructure and services. Road construction costs alone are reduced by approximately 70 percent when compared to the Existing General Plan.
4. **Improve Housing Affordability:** Affordable building types are primarily found in medium to high densities, and GP2020 increases the capacity for building future dwelling units at those densities from about 23 percent to about 45 percent of all future dwelling units (when compared to the Existing General Plan). These plans also incorporate clustering concepts to help improve housing affordability in low-density areas.
5. **Balance Competing Interests:** GP2020 address the competition for land for housing, agriculture and habitat preservation by reducing the amount of large lot residential development capacity in prime agricultural areas, on environmentally sensitive land, and in remote areas and Backcountry communities. These plans decrease development pressures on such areas by favoring more efficient development patterns within rural villages or town centers, and by accommodating residential growth on less land.
6. **Locate Growth Near Infrastructure, Services, and Jobs:** GP2020 directs 80 percent of all future growth to areas inside the CWA boundary, which is close to the region's job centers as well as its existing infrastructure and services.
7. **Assign Densities Based on Characteristics of the Land:** Mapping decisions are based on an analysis of physical and environmental constraints – such as road access, steep slopes, floodplains, and sensitive environmental habitats. Densities applied in this manner also result in land use maps that more accurately reflect development capacity when infrastructure, physical constraints, and sensitive habitats are taken into account.

G5-114.  
cont.

<sup>1</sup> Scenarios within 2 to 3 percent of the County's target population are evaluated as "meeting" this objective. Higher populations were not because additional capacity increases costs for both infrastructure and essential services.



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

*Land Use Scenario Comparison:  
Conformance with GP2020 Objectives*

ATTACHMENT G

8. **Create Model for Community Development:** The GP2020 model provides a central, urbanized core, surrounded by low-density (semi-rural) development and very low-density greenbelts that provide open space and a separation between communities. This model provides a useful blueprint for creating efficient, community-based land use patterns.
9. **Obtain A Broad Consensus:** The December 2002 Working Copy map received approval as a work-in-progress from the Board of Supervisors, Planning Commission and Interest Group Committee. This map was produced through a long public process that included meetings with advisory groups, Community Planning and Sponsor Groups, and individual landowners. Although the August 2003 Working Copy map is similar, consensus for that map is less established and environmental groups objected to changes to Rural Lands.

### BOARD REFERRALS SCENARIOS

Although the primary purpose of the Board Referrals scenarios was to analyze and compare traffic impacts, these scenarios were also evaluated based on how well they do (or do not) meet GP2020 objectives. Because the Board Referrals Scenario map served as a base map for Scenarios 5 through 8, all Board Referrals Scenario maps share common characteristics. Cases where one particular scenario possesses characteristics not shared by the Board Referrals Scenario maps are noted below with an underline.

G5-114.  
cont.

1. **Develop an Internally Consistent General Plan.** All Board Referrals scenarios contain some residential designations that do not fit the proposed GP2020 planning principles. The inclusion of this small number of exceptions could jeopardize the planning principles used to develop the GP2020 land use maps.

Pipelined Projects: The purpose of the pipeline policy was to assure landowners that project applications deemed complete by August 6, 2003 would be reviewed under existing regulations. Therefore, the inclusion of pipelined projects on GP2020 maps is unnecessary, but if included, could jeopardize the proposed GP2020 planning principles.

The Pre-FCI scenario is also not consistent with State law because it reverses land use designations established by voter initiative.

2. **Meet Growth Targets:** All Board Referrals scenarios add unnecessary population capacity, and take the plan away from the County's target population of 660,000<sup>2</sup>. That is particularly true for the Without 80s and 160s and Pre-FCI scenarios, which are approximately 27,000 and 40,000 persons over County targets respectively.
3. **Reduce Public Costs:** A variety of public construction and maintenance costs will be higher for the Board Referrals scenarios because they increase large-lot development and

<sup>2</sup> Endorsed by the Board of Supervisors, April 1998. Following areas not yet endorsed by Board of Supervisors: Borrego: 12,000; Boulevard: 4,134; Jacumba: 5,000; Lake Morena/Campo: 4,640; Potrero: 1,525; Tecate: 1,000; Valle de Oro: 42,720; Valley Center: 45,853; Total = 649,323. Note: The Community Targets were established before the 2000 Census data was available.

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

*Land Use Scenario Comparison:  
Conformance with GP2020 Objectives*

ATTACHMENT G

development in remote areas. Road construction cost estimates for Board Referrals scenarios are higher than the December 2002 Working Copy map as follows:

- Board Referrals: + \$123 million
- Board Referrals with Pipelined Projects: + 162 million
- Board Referrals without 80s & 160s: + \$339 million
- Board Referrals Pre-FCI: + \$608 million

4. **Improve Housing Affordability:** None of the Board Referrals scenarios increase the amount of land with medium to high densities, which is associated with affordable building types. Instead, all Board Referrals scenarios increase the amount of large-lot residential development.
5. **Balance Competing Interests:** All Board Referrals scenarios increase the amount of large-lot development, which will increase development pressures on land currently used for agriculture, open space and habitat preservation.
6. **Locate Growth Near Infrastructure, Services, and Jobs:** Some referrals and pipelined projects are located in remote areas and/or on environmentally sensitive land, which is not consistent with this objective. The Without 80s and 160s and Pre-FCI scenarios add growth in Backcountry communities, which is also not consistent with this objective.
7. **Assign Densities Based on Characteristics of the Land:** Some referrals apply densities that are too high for the underlying physical or environmental constraints. In particular, the Pre-FCI scenario, which applies Semi-Rural densities in the Cleveland National Forest, is not consistent with this objective.
8. **Create a Model for Community Development:** The Board Referrals Scenarios include many referred properties that create isolated pockets of development in otherwise rural settings. That is not consistent with the community development model.
9. **Obtain Broad Consensus:** Some densities in all the Board Referrals scenarios are not consistent with Planning Commission or Community Planning and Sponsor Group recommendations. They are also inconsistent with the December 2002 Working Copy map, which was supported by the broad-based Interest Group Committee.

G5-114.  
cont.



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

**Minute Order**  
**June 16, 2004**

1.       **SUBJECT:   CONTINUED NOTICED PUBLIC HEARING:  
GENERAL PLAN 2020: TRAFFIC MODELING AND  
RESIDENTIAL LAND USE DISTRIBUTION MAP  
(DISTRICT: ALL)**

**OVERVIEW:**

On May 19, 2004 (1) the Board of Supervisors continued the Hearing to June 16, 2004 at 9:00 a.m.

On October 1, 2003 (4) the Board of Supervisors directed staff to conduct traffic forecasts for seven future land use scenarios, and to return to the Board with information on groundwater conditions. The purpose of this hearing is to review information on traffic forecasts for the eight scenarios, to review updated information on groundwater conditions, and to receive Board direction for staff recommendations on a residential land use distribution map.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

Updating the General Plan should assist the business community by providing a reliable blueprint for how population will be accommodated and for siting commercial, industrial, and other land uses to meet projected needs. The ability to rely on the General Plan 2020 Environmental Impact Report's cumulative impact analysis should shorten the entitlement process.

**RECOMMENDATION(S):****CHIEF ADMINISTRATIVE OFFICER**

1. Accept the April 2004 Working Copy map for use as the baseline residential land use distribution for the preparation of the GP2020 Environmental Impact Report (EIR).
2. Evaluate pipeline projects in the Environmental Impact Report's cumulative impact analysis to ensure impacts are included in the review.
3. Defer review of non-residential properties until an assessment is conducted for commercial and industrial land use within each community.

**ACTION:**

1. ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action on Referral No. 110 recommending the entire property, comprised of three parcels, be designated SR10.

AYES: Cox, Slater-Price, Roberts, Horn

RECUSED: Jacob

G5-114.  
cont.

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-114.  
cont.

- 1.1 ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board of Supervisors closed the hearing and took action as recommended in Chief Administrative Officer Recommendations and made the following additional recommendations:
4. Direct the Chief Administrative Officer to create a new “Consensus Alternative Map,” studied at the same level as the baseline map, based upon the April 2004 recommendation which reflects the following changes:
    - a. In Bonsall the map should reflect the October Traffic Referral densities for Referrals number 4, 5, 7 and P.
    - b. In Fallbrook the map should reflect the October Traffic Referral densities for 8 and 13.
    - c. In North County Metro, the map should reflect the October Traffic Referral density for Referral No. 16 and include the recommendation by Jim Chagala to include 309 acres at SR10.
    - d. On Referral 17 the map should reflect SR4.
    - e. The Twin Oaks map should reflect the October Traffic Referral densities for Numbers 24 through 27 and this area should be designated as a Special Study Area that is subject to further refinement.
    - f. The Pala-Pauma map should reflect the October Traffic Referral densities for numbers 31 through 33, 36 through 39, 42, 43, and 48.
    - g. On Referral 41 the map should retain the existing General Plan density as a base density, with the option to increase the density in certain developable areas if it furthers the County’s habitat planning.
    - h. On Referral 46 the map should reflect a density of SR10.
    - i. In Rainbow, on Referral 52, the map should reflect a density of SR10.
    - j. In San Dieguito the map should reflect the October Traffic Referral densities for numbers 55, 56, 58 through 60, 63, and 65.
    - k. On referral 62 the map should reflect the October Traffic Referral densities and include APN 222-130-19.
    - l. In Olivenhain, the Perkins property should be designated SR4 like the Encinitas General Plan proposes.
    - m. In Valley Center the map should reflect the October Traffic Referral densities for Referrals Number 67, 69, 71, 77, 84, 86, 87, and 90.
    - n. Regarding the Ridge Ranch II Specific Plan Area this SPA designation.
    - o. This alternative study should also include the senior housing density requested by the Castle Creek Golf Course.
    - p. The map should reflect the request by Pacific Paradise Nursery to designate the property SR2.



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-114.  
cont.

- q. On Referral 80 the map should reflect a density of SR10.
  - r. On Referral 83 the map should reflect a density of RL20.
  - s. On Referrals 85 and 88 the map should reflect a density of SR10.
  - t. In the North Mountain Area the map should reflect the October Traffic Referral densities for 177 through 179.
  - u. Any of these areas that could be construed as islands or spot densities, the adjoining parcels should be changed to match the recommendations in this motion.
  - v. In North County the modified map should remove the RL80 and RL160 designations.
  - w. The modified map should recommend no designations below RL20 for properties within County Water Authority line in the Community Planning Areas of Valley Center, Pala-Pauma, North County Metro, and Fallbrook.
5. Adding the following to the Alternative Map:
- a. Adopt the October traffic referral recommendation for Referral numbers 97, 99, 100, 101, 103, 112, and 130.
  - b. Adopt designations from the August 2003 working copy map for three Referrals: an, ap, and No. 98.
  - c. Adopt the compromise language for Referral numbers 102 and 104 that include designations of one dwelling unit per four acres, one dwelling unit per 10 acres, and one dwelling unit per 20 acres.
  - d. Designate one dwelling unit per 40 acres for Referral No. 106 and the adjacent land in the island that is surrounded by public lands as well as in the areas for Referral No. 116 that are not already dedicated open space.
  - e. In the communities of Julian and Ramona eliminate one dwelling unit per 80 acres designations and the one dwelling unit per 160 acre designations.
  - f. Direct Staff to work with the Valle De Oro Planning Group to define and apply an impact sensitive designation to Referral No. 145.
  - g. Designate Referral No. 148 area C in Descanso, as one dwelling unit per four acres, which is consistent with the agreement between the Planning Group and the property owners.
  - h. Referral No. 164, which is adjacent to an Indian Reservation, where there is a proposed casino, and neighboring properties not in the Forest Conservation districts, should be designated, one dwelling unit per 20 acres.
  - i. In the Ramona area, eliminate the designations on vacant properties designated 24 dwelling units per acre and 14.5 dwelling units per acre where they may be, they are mostly in the town center area, but if there are some outside, they are to be included. Direct staff to designate these properties for analysis purposes with nothing more dense than 7.3 dwelling



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**G5-114.  
cont.

- units per acre and to work with the Ramona Town Center working group on density and design in the town center area and if there is community consensus, then bring it back at the appropriate time for the Board to take another look at higher densities.
- j. Direct staff to evaluate, address, and reconcile the Ramona Planning Group's population numbers and to include those numbers in the analysis.
  - k. The "Peck" property, direct staff to evaluate the request and to assign density in accordance with the context of the surrounding area and the GP2020 plan.
  - l. For the "Rancho Esquilago" property, direct staff to evaluate it as a part of the Ramona Grasslands "special study area." Staff acknowledges that this area is subject to further refinement and should make sure that that property is included in the analysis, in that special study area.
  - m. For Referral No. 133, move it forward for analysis, but direct the staff to continue to work with the property owner.
  - n. For Referral No.159A direct staff to study one dwelling unit per 20 acres on that property and adjacent areas.
  - o. Direct staff to work with the Community Planning Group to finalize the language in the FCI areas along Willows Road in Alpine.
  - p. Direct staff to work with the State Regional Water Quality Control Board on approval of alternative septic systems.
6. Direct Staff to review the following items (1, 5, 6, and 10) from the San Diegiuto Planning Group, in letter dated June 11, 2004 (Clerk of the Board Exhibit D):
- "1. The property identified as #62, Harlan Lowe, consists of 7 legal parcels and 500 acres with two owners and that have been reduced in density to 1du/20 acres. We are concerned that these parcels have not been adequately considered for appropriate zoning and request that this item receive special consideration for better, more intense studies before placing a density classification onto the property. The northernmost boundary is another of these properties abutting the urban density of San Elijo Hills."
  - "5. The density classification of Village Core maximum of 14.5 du/acre have been placed on the village core of Harmony Grove. The developer of this project does not intend to develop to that level and we feel it not in the best interest of this community to place that level of zoning on the area, should the future of this village be changed or end up in the hands of a different developing company who may or may not be willing to keep the density levels at 7.9 du/acre."
  - "6. Although we understand that GP 2020 is intended to offer protection of natural and endangered habitat, we are concerned that the wording of the proposal presented today gives more support to negative

**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

G5-114.  
cont.

declarations, with elimination of the need for CEQA findings and EIR's, that instead the expected, compliant development requires only a negative declaration. In addition, we would also like to see some ordinance established during this process that limits the impact of sewer on septic communities."

- "10. There are some City-owned properties in the community of Del Dios that contain some sensitive habitat. These properties currently have overlaid County S-80 zoning, which, as soon as the City sells the properties, it retains that unincorporated zoning. Since they account for approximately 40% of the open space in the community, we would like to see those parcels currently owned by the City to be specifically zoned to preserve the open space. There are parcels also on the other side of Del Dios Highway that need to be re-zoned from 1du/4 acres to 1du/10 or 1du/20 acres to accommodate the very steep slopes."

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**

G5-114.  
cont.

**BOARD MOTION – CONSENSUS ALTERNATIVE MAP**  
**Board of Supervisors Hearing – June 16, 2004**

CPA	DISTRICT	OCT TRAFFIC REFERRAL	AUGUST 2003 WC	OTHER
ALPINE	District 2 (Jacob)		an – 2 du/ac ap – 2 du/ac, 4.3 du/ac	Direct staff to finalize language re: FCI areas along Willows Rd w/ CPG
BONSALL	District 5 (Horn)	4 – 1 du/4 ac 5 – 1 du/ac 7 – 1 du/2 ac p – 1 du/2 ac		Remove 1 du/80 ac and 1 du/160 ac designations
DESCANSO	District 2 (Jacob)			148 – 1 du/4 ac (area C)
CREST/DEHESA	District 2 (Jacob)	97 – 1 du/2 ac 99 – 1 du/4 ac 100 – 1 du/4 ac 101 – 1 du/2 ac 103 – 1 du/4 ac	98 – 1 du/4 ac, 1 du/20 ac	102, 104 – Adopt compromise language including 1 du/4 ac, 1 du/10 ac, and 1 du/20 ac 106 – 1 du/40 ac (including adjacent properties in island)
DESERT	District 5 (Horn)			159a – 1 du/20 ac (including adjacent area)
FALLBROOK	District 5 (Horn)	8 – 1 du/10 ac, 1 du/40 ac 13 – 1 du/4 ac		Remove 1 du/80 ac and 1 du/160 ac designations No designation below RL-20 for properties w/in the CWA line
JAMUL/DULZURA	District 2 (Jacob)	112 – 1 du/10 ac, 1 du/20 ac		110 – 1 du/10 ac (previous action taken on 9/24/03 of 1 du/10 ac and 1 du/40 ac) 116 – 1 du/40 ac (including adjacent property not already dedicated open space)
JULIAN	District 2 (Jacob)			Eliminate 1 du/80 ac and 1 du/160 ac designations
MOUNTAIN EMPIRE	District 2 (Jacob)			164 – 1 du/20 ac (including neighboring property not in FCI)



# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-114.  
cont.

## **BOARD MOTION – CONSENSUS ALTERNATIVE MAP** *Board of Supervisors Hearing – June 16, 2004*

CPA	DISTRICT	OCT TRAFFIC REFERRAL	AUGUST 2003 WC	OTHER
NORTH COUNTY METRO	District 5 (Horn)	16 – 1 du/10 ac (include 309 ac at 1 du/10 ac for Alhameese project)		17 – 1 du/4 ac Remove 1 du/80 ac and 1 du/160 ac designations No designation below RL-20 for properties w/in the CWA line
HIDDEN MEADOWS	District 5 (Horn)			Remove 1 du/80 ac and 1 du/160 ac designations
TWIN OAKS	District 5 (Horn)	24 – 1 du/20 ac ( 25 – 1 du/10 ac 26 – 1 du/4 ac 27 – 1 du/10 ac		24, 25, 26, 27 - Designate as Special Study area, subject to further refinement Remove 1 du/80 ac and 1 du/160 ac designations
NORTH/PALOMAR MOUNTAIN	District 5 (Horn)	177 – 1 du/10 ac 178 – 1 du/20 ac 179 – 1 du/10 ac		
PALA-PAUMA	District 5 (Horn)	31 – 1 du/10 ac 32 – 1 du/10 ac 33 – 1 du/10 ac 36 – 1 du/10 ac 37 – 1 du/4 ac 38 – 1 du/4 ac 39 – 1 du/10 ac 42 – 1 du/20 ac 43 – 1 du/10 ac 48 – 1 du/ac		41 – Existing GP (w/ option to increase density in certain developable areas) 46 – 1 du/10 ac Remove 1 du/80 ac and 1 du/160 ac designations No designation below RL-20 for properties w/in the CWA line
PENDLETON-DELUZ	District 5 (Horn)			Remove 1 du/80 ac and 1 du/160 ac designations
RAINBOW	District 5 (Horn)			52 – 1 du/10 ac Remove 1 du/80 ac and 1 du/160 ac designations
RAMONA	District 2 (Jacob)	130 – 1 du/10 ac		Eliminate 1 du/80 ac and

# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-114.  
cont.

## BOARD MOTION – CONSENSUS ALTERNATIVE MAP Board of Supervisors Hearing – June 16, 2004

CPA	DISTRICT	OCT TRAFFIC REFERRAL	AUGUST 2003 WC	OTHER
				<p>1 du/160 ac designations  <b>Eliminate</b> 24 du/ac and            14.5 du/ac on vacant            properties (designate            these properties w/ nothing            more dense than 7.3            du/ac)  <b>Direct</b> staff to work w/            Ramona TC group on            density and design in TC            area (bring back higher            densities if consensus)  <b>Evaluate</b> and address            population numbers  <b>Peck property</b> – Evaluate            request and assign density            in accordance w/            surrounding area and 2020  <b>Rancho Esquilago</b>  <b>property</b> – Evaluate as            part of Ramona            Grasslands "special study            area"  <b>133</b> – Continue to work w/            property owner</p>
SAN DIEGUITO	District 5 (Horn)	55 – 1 du/2 ac 56 – 1 du/2 ac, 1 du/4 ac 58 – 2 du/ac 59 – 2 du/ac 60 – 2 du/ac 62 – 2 du/ac, 1 du/ac, 1 du/2 ac, 1 du/4 ac (include APN 222-130-19) 63 – 1 du/2 ac 65 – 1 du/4 ac		<p><b>Remove</b> 1 du/80 ac and            1 du/160 ac designations</p>
SPRING VALLEY	District 2 (Jacob)			



# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-114.  
cont.

## BOARD MOTION – CONSENSUS ALTERNATIVE MAP Board of Supervisors Hearing – June 16, 2004

CPA	DISTRICT	OCT TRAFFIC REFERRAL	AUGUST 2003 WC	OTHER
SWEETWATER	District 1 (Cox)			
VALLE DE ORO	District 2 (Jacob)			145 – Work w/ CPG to define and apply impact sensitive designation
VALLEY CENTER	District 5 (Horn)	67 – 1 du/4 ac 69 – 1 du/2 ac 71 – 1 du/20 ac 77 – 1 du/2 ac 84 – 1 du/2 ac 86 – 1 du/2 ac 87 – 1 du/2 ac 90 – 1 du/20 ac		Ridge Ranch II SPA – Retain SPA Castle Creek Golf Course – Study senior housing density Pacific Paradise Nursery – 1 du/2 ac 80 – 1 du/10 ac 83 – 1 du/20 ac 85 – 1 du/10 ac 88 – 1 du/10 ac Remove 1 du/80 ac and 1 du/160 ac designations No designation below RL-20 for properties w/in the CWA line

### District 5 communities are shaded:

\* District 5 – Any areas that could be construed as islands or spot densities, the adjoining parcels should be changed to match the recommendations in this motion

\*\* The motion to remove the RL-80 and RL-160 designations from North County communities have been interpreted as North County communities as identified by staff in the staff report. This motion pertains to District 5 only. As such, Ramona is the only community listed as a North County community to not be included in this recommendation.

**Comment Letter G 5, Endangered Habitats League (EHL)**

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



August 28, 2009

*VIA ELECTRONIC AND OVERNIGHT MAIL*

Devon Muto  
Dept. of Planning and Land Use  
5201 Ruffin Rd., Suite B  
San Diego, CA 92123

**RE: Comments on Draft General Plan (Revised July 1, 2009)**

Dear Mr. Muto:

**General Comments**

G5-115. The Endangered Habitats League (EHL) appreciates the progress being made on the General Plan Update. As you know, EHL has been involved in this process since its inception, and is committed to its success. We appreciate the changes made to the goals and policies as a result of our earlier comments. This letter will focus on those areas that need continued attention.

G5-116. A large area of continued concern is the dominance of outmoded Community Plans over the more progressive planning features that reside at the General Plan level. It would seem evident that the enormous and unsustainable consumption of land, farms, viewshed, wildlife habitat – and increase in traffic despite little gain in housing – caused by decades of unrelenting rural residential sprawl would mandate change.

**Global Climate Change, Table I-1 (p. 1-17)**

G5-117. Missing from Land Use policies to reduce greenhouse gas emissions is LU-6.3 Conservation-Oriented Project Design. *It should be added*, as more compact project design reduces driveway length and places development closer to roads. Over time, these incremental differences add up.

**Vision**

**What We Plan to Be (p. 2-3)**

G5-118. This section is inaccurate when it states that villages will “remain” compact. In truth, the compact village is currently a rarity, as massive numbers of large residential lots occupied by commuters have to a great part destroyed the working landscape of the

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-118. cont.	<p>former countryside. The new General Plan is designed to contain that damage and chart a more sustainable course.</p> <p><b>Vision, Our Physical Setting (p. 2-3)</b></p>
G5-119.	<p>Again, the use of “continue to” is a misstatement. The County has, in the past, maximized development in high fire zones and decimated natural habitats through dispersed residential development.</p>
G5-120.	<p>There is a typo on page 2-5: It should be, “Our sustainable practice will contribute . . .”</p> <p><b>Guiding Principles</b></p> <p>These remain sound. On page 2-8, we appreciate clarifying how the Community Development Model as it evolved in San Diego may differ from an ideal case. However, suggest removing the phrase “. . . along with the realization that the ideal Community Development Model can only be achieved with a wide ranging and extensive transit network” as it does not seem to have a strong rationale, and the immediately preceding statement about reflecting existing development patterns is the predominant reason.</p> <p>The text of the second graphic on page 2-9 infers that “gradual” reduction on intensity is good planning, when this is not necessarily the case, and again primarily reflects the constraints of existing conditions. Also on page 2-9, the language on clustering should be retained, as it is integral to sustainable patterns of development.</p>
G5-122.	<p>The new language on page 2-11 on the relationship of parcel sizes to resource protection is excellent and must be retained as an essential guiding concept.</p> <p><b>Residential Land Use Designations</b></p>
G5-123.	<p><b>Table LU-2 (p. 3-14)</b></p> <p>For Semi-Rural-0.5, the text for “Slope less than 25%” should read “2 du/gross acre.”</p> <p><b>Goals and Policies</b></p> <p><b>Land Use Element</b></p> <p><b>LU-1</b></p>
G5-124.	<p>EHL supports the intent of those policies that provide certainty for the General Plan by restricting certain GPAs to comprehensive, County-initiated General Plan Updates. However, we continue to urge that such restricted GPAs include changes to certain Land Use Designations in addition to changes between Regional Categories. For</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

example, a change within Semi-Rural Land Use Designations from SR-10 to SR-1 would change small farms that support the agricultural economy into residential estates serving commuters, and likely require sewerage. Similarly, a change within Rural Land Use Designations from RL-80 to RL-20 would change ranch land into ranchettes, with a high degree of environmental impact.

*Thus, changes to most designations – even though within category – would fundamentally alter the vision intended by the General Plan, and should therefore also be limited to comprehensive update cycles. An exception to this is changes to Village designations, which need the flexibility to evolve more rapidly in response to changing housing needs.*

Thus, suggest modifications to protect the integrity of the General Plan are as follows:

G5-124.  
cont.

### **GOAL LU-1**

**Primacy of the Land Use Element.** A land use plan and development that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories and Land Use Designations.

### **Policies**

LU-1.2: **Regional Categories and Land Use Designation Map Amendments**  
Avoid General Plan and Specific Plan amendments requiring a change to the Regional Categories Map or to the Land Use Designation Map unless part of a comprehensive General Plan Update, unless the amendment is within the Village Regional Category.

Note: The above revision to LU-1.2 would require an exception to the effect of “except to avert a taking of all reasonable economic use of a property, in which case the amendment shall be the minimum necessary to avert the taking.”

G5-125.

For LU-1.6, Village Expansion, the bullet, “The expansion is part of a County-initiated comprehensive General Plan update,” should be retained, as the housing capacity within existing villages should be used prior to expansion.

### **LU-6**

G5-126.

LU-6.3 should *revert to its original form* (previously LU-1.23), though stated affirmatively. As modified, LU-6.3 is not only weak (“support . . . when appropriate”), would allow the Conservation Subdivision to be trumped by Community Plans. The sustainability policies of the General Plan – efficient use of land, reduction in infrastructure costs, reduced fire hazard, lower utility and service costs, and preservation of farm and habitat resources – are advanced by reduced lot sizes and increased and consolidated *permanent* open space. If a Community Plan moves away from these principles by blocking otherwise mandatory or discretionary Conservation Subdivisions,

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

		it is <i>less restrictive</i> than the General Plan and therefore <i>inconsistent</i> with the General Plan. Design features that respect adjacent uses are essential, of course. Conservation-Oriented Project Design is also essential to MSCP assembly.
G5-126. cont.	LU-6.3	<u>Provide for reductions in lot size with corresponding requirements for preserved open space, as well as other mechanisms for flexible and conservation-oriented project design. Such projects should incorporate design features, perimeter lot sizes, or buffers to achieve compatibility with adjacent existing land uses.</u>
G5-127.		LU-6.4 should be modified at the end to substitute “ <u>compatible</u> with the applicable community plan” for “consistent with the applicable community plan.” While it does not entirely solve the problem, this averts the rigidity of consistency. “Compatible” should be defined in the text as “Capable of harmonizing with existing conditions due to design features.”
G5-128.		Fully concur with the below, although as Figure S-1 also denotes “Extreme” areas, this category should be added:
	LU-6.10	<b>Protection from Wildfires and Unmitigable Hazards.</b> Assign land uses and densities in a manner that minimizes development in <u>extreme</u> , very high and high hazard fire areas or other unmitigable hazardous areas.
	LU-7	
G5-129.		Suggest the following modification:
	LU-7.2	<b>Parcel Size Reduction as Incentive for Agriculture.</b> Allow for reductions in lot size for compatible development when tracts of existing <u>or</u> historically agricultural land are preserved in conservation easements for continued agricultural use.
	LU-8	
G5-130.		There should be no circumstance when development harms habitat by drawing down the water table. Why is Borrego exempt? Why should new development exacerbate overdraft conditions to the detriment of native habitat?
	LU-8.3	<b>Groundwater-Dependent Habitat.</b> Prohibit development that would draw down the groundwater table to the detriment of groundwater-dependent habitat, <del>except in the Borrego Valley.</del>
	LU-9	
G5-131.		EHL remains concerned over the preemption of sound General Plan goals and policies in Villages and Town Centers by Community Plans. Repeatedly, policies are conditioned upon Community Plan “consistency,” as though the Community Plan is the



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-131. cont.	superior document. Again, substituting “compatible with” for “consistent with” will help. Also, policies should be stated as affirmative policies, and not conditioned upon unknown documents. Suggestions follow:
G5-132.	<p data-bbox="358 457 1430 625">LU-9.2      <b>Density Relationship to Environmental Setting.</b> Assign Village land use designations in a manner <u>compatible</u> consistent with the <del>Community Plan</del>, community character, and environmental constraints. In general, areas that contain more steep slopes or other environmental constraints should receive lower density designations.</p> <p data-bbox="358 657 1430 762">The following policy has gone backwards, and restricts village development to that which “enhances” the character of <i>established</i> neighborhoods. Little innovation is possible, and sustainability goals will falter. Suggest the following change:</p> <p data-bbox="358 800 1430 1035">LU-9.3      <b>Village and Community Core Guidelines and Regulations.</b> Support the development and implementation of design guidelines, Village-specific regulations for roads, parking, and noise, and other planning and regulatory mechanisms that recognize the unique operations and character of Villages, Town Centers, and transportation nodes. Such mechanisms should ensure that new development <u>be compatible with respects and</u> <del>enhances</del> the overall scale and character of established neighborhoods.</p>
G5-133.	We support new policy LU-9.12 to achieve planned densities in compatible ways.
G5-134.	<p data-bbox="358 1140 440 1171"><b>LU-14</b></p> <p data-bbox="358 1209 1430 1377">In LU-14.4, we concur that sewer should <i>not</i> be extended so as to serve or induce growth beyond the General Plan density. However, extension beyond Village boundaries should not be <i>precluded</i> where it would make possible a Conservation Subdivision (for example on 0.5-acre lots) and not serve or induce other growth. Also, what is “public welfare”? This is an overly broad consideration, and should be eliminated.</p> <p data-bbox="358 1415 1430 1686">LU-14.4      <b>Sewer Facilities.</b> Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond Village boundaries (or extant Urban Limit Lines) except when necessary for public health, <u>or safety, or welfare when necessary for a Conservation Subdivision that protects significant natural resources and meets all the other requirements of this policy.</u></p>
G5-135.	<p data-bbox="358 1717 581 1749"><b>Mobility Element</b></p> <p data-bbox="358 1787 1414 1885">Generally concur with context sensitive design and accepting LOS E and F in circumstances such as environmental resource avoidance. Also concur with Policies M-2.3 for wildlife movement, M-3.3 for multiple egress, M-4.1 for pedestrian safety, M-4.4</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-135.  
cont.

for emergency vehicles, M-8.6 for park and ride, M-8.8 for shuttles, M-9.1 for operational improvements, M-9.3 regarding parking, and M-12.9 regarding trails.

In M-4.5, concur with providing for wildlife movement but correct typo in “where ist would minimize”.

Concur with treatment of SR-94 under Truck Routes.

### Conservation and Open Space Element

#### Purpose and Scope

G5-136.

Concur with and appreciate these revisions.

#### Goals and Policies

Generally concur with the revisions to Goals and Policies for COS-1, COS-2, COS-3, COS-4, COS-5, COS-6, COS-11, COS-15-20, and COS-23-24.

COS-1.1 (page 5.7) should be clarified to explicitly incorporate the MSCP programs into the General Plan.

G5-137.

COS-1.1 Coordinated Preserve System. Identify and develop a coordinated biological preserve system that includes Pre Approved Mitigation Areas, Biological Resource Core Areas, wildlife corridors, and linkages to allow wildlife to travel throughout their habitat ranges. The MSCP is incorporated into the General Plan, and when adopted, the North County MSCP and East County MSCP are so incorporated.

### COS-14 Sustainable Land Development

G5-138.

Missing from this section are polices that address the patterns of Rural and Semi-Rural development. Because the geographic scope of these categories dominates the unincorporated area, this creates a huge gap. Furthermore, the “towns and greenbelts” vision of the General Plan Update fundamentally supports sustainability and reduced GHG emissions from transportation, and this achievement deserves to be highlighted. Thus, we suggest additional language for COS 14.1 to address sustainability of land use in Rural and Semi-Rural as well as the benefits of town and village-focused development:

COS-14.1 **Land Use Development Form.** Require that development be located and designed to reduce vehicular trips (and associated air pollution) by utilizing compact regional and community-level development patterns while maintaining community character. Reduce vehicle miles traveled by directing population growth into towns and villages closer to existing infrastructure, by reducing dispersed patterns of development through lowered rural densities, and through more compact subdivision designs.

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

- G5-139. On page 5-41, the proper term is probably “developer exactions.”
- Housing Element**
- G5-140. **Policy Framework, Community Character and Environment**
- A typographical correction: Development should complement in bulk, style, and scale ~~with~~ the character of its surroundings while still meeting the needs of its residents.
- H-1**
- Stronger policies remain needed to reach affordability and sustainability goals.
- G5-141. H-1.2 **Development Intensity Relative to Permitted Density.** ~~Encourage~~  
Achieve a development intensity of at least 80 percent of the maximum permitted gross density for sites designated at 15 to 30 dwelling units per acre in development projects.
- H-1.3 **Housing near Public Services.** ~~Encourage the development of~~ Maximize housing in areas served by transportation networks, within close proximity to job centers, and where public services and infrastructure are available.
- Suggest the following clarification:
- G5-142. H-1.8 **Variety of Lot Sizes in ~~Large-Scale~~ Rural Residential Developments.**  
~~Promote~~ Provide a range of lot sizes ~~large-scale residential development~~ in Semi-Rural ~~that include a range of lot sizes~~ to improve housing choice.
- G5-143. Support the revised H-5.4 for regulatory streamlining if a sound Land Use Map and Conservation Subdivision program are also adopted.
- Safety Element**
- G5-144. **Fire Hazards Context**
- Generally concur with the textual revisions to Fire Hazards Context, although failure to consider *response* time instead of *travel* time is a structural flaw.
- G5-145. Correct typo on page 7-7: “hardened to make ~~it~~ them”
- S-3**
- G5-146. These policies to minimize fire hazard remain deficient. *Missing is the fundamental concept of minimizing fire risk by avoiding or reducing development in high hazard zones.* This land use process is inferred in S-1.1 (“Minimize the population

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-146. cont.	<p>exposed to hazards by assigning land use designations and density allowances that reflect site specific constraints and hazards.”) but not explicitly carried through into S-3.</p> <p>New policy: <b><u>Risk avoidance.</u></b> <u>Avoid development in high fire hazard zones.</u></p>
G5-147.	<p>Concur with the revision to S-3.5 for Access Roads, with the new policy S-3.7 for “hardening” of structures, with revised S-4.1 for fuel management, and with new S-4.2 for impact mitigation.</p>
G5-148.	<p>Regarding Goal S-6, it is <i>response</i> times rather than travel times that are most meaningful. If no service provider is available or on duty, then travel time is irrelevant. Revised standards with response times should be substituted, or staffing of facilities should explicitly be required to be on a 24/7 basis that allows immediate dispatch.</p>
G5-149.	<p>S-6.4 <b>Fire Protection Services for Development.</b> Require that development demonstrate that fire services can be provided that meet the minimum travel times identified in Table S-1 (Travel Time Standards) <u>and that such services are available continually and with immediate dispatch on a 24/7 basis.</u></p>
G5-150.	<p>Policy S-6.5 is rendered internally inconsistent by the new clause at the end, “Allow incremental growth to occur until a new facility can be supported by development.” If incremental growth occurs without adequate facilities in place, then that contradicts that initial policy ensuring that facilities operate in conjunction with development. In addition, this new sentence contradicts and would create numerous exemptions to the Travel Time Standards in Table S-1. It should be deleted.</p>
G5-151.	<p><b>S-10</b></p> <p>Generally concur with the changes for RPO consistency.</p>
G5-152.	<p><b>Noise Element</b></p> <p><b>N-6 Temporary and/or Nuisance Noise</b></p> <p>We continue to recommend policies that explicitly address the pernicious problem of off-highway vehicles.</p>
G5-153.	<p><b>Land Use Map Alternatives</b></p> <p>As a long-term stakeholder in the Update process, EHL recognizes that the Draft Land Use Map is generally a carefully crafted compromise between the guiding planning principles and Community and Sponsor Group input. However, the Environmentally Superior Map corrects some significant discrete <i>errors</i> present in the Draft Map (as well as in the Hybrid and Referral Maps). EHL therefore requests that the ultimate map adopted correct these errors and reflect the Environmentally Superior Map in the</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

following areas:

- G5-152.  
cont.
  - Consistent with the treatment of other old Specific Plan Area designations, revise the Specific Plan Area designation in Warner Springs to *exclude* the *inactive* “future planning area” that is outside the approved Warner Springs Ranch Specific Plan (no planning activity on the future planning area since SPA designation in 1981). Replace with a land use designation consistent with surrounding properties.
- G5-153.
  - Consistent with the treatment of other old Specific Plan Areas designations, revise the Specific Plan Area designation in Jacumba to exclude the inactive and unapproved portions. Replace with a land use designation consistent with surrounding properties.
- G5-154.
  - Consistent with the treatment of other properties, reduce intensities in Elfin Forest (San Dieguito Planning Area) to correspond with the actual physical, natural hazard, and biological constraints present.

### Community Plans

The various Community Plans, which have General Plan-level consistency authority over all subservient ordinances and codes, contain numerous provisions that gut the Conservation Subdivision program. In the tables below, excerpts from Community Plan language are shown, along with their effects upon the program. Italics indicate the most pertinent language. The designations of the Draft Land Use Map for each Community Plan serve as an example.

The notations signify as follows:

- G5-155.
  - “XXX” denotes land use designations where the Community Plan’s *numeric* standards prohibit achieving the mandatory percent avoided resources for the Conservation Subdivision within Semi-Rural 1:10 and Rural 1:20-1:160, or for Semi-Rural 1:1-1:4, preclude a minimum 40% open space set aside, which is the guidance for PRDs in these categories.
  - “XX” denotes *rigid policies* whereby the Community Plan irretrievably prohibits achieving the percentages of the Conservation Subdivision or the PRD guidance.
  - “X” denotes where, even if Community Plan policies *theoretically* allow waiver of the numeric standards or the making of consistency-type findings, the subjective nature, practical difficulty, and highly uncertain *discretionary* granting of such waivers constitute a major barrier to implementation.
  - “(X)” denotes where, in the absence of numerical or policy conflict, the Community Plans works to thwart achieving *greater* than the minimum open space requirement.



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-155.  
cont.

Either “XXX,” “XX,” or “X” renders the Conservation Subdivision ineffective within that category. Generally, only one notation – the most restrictive – is shown for each designation, although more than one may apply. Best efforts were made to interpret confusing Community Plan language.

### Semi-Rural 1:10 and Rural 1:20-1:160

G5-156.

	1:10 with 75% open space and resultant 2.5-acre lots	1:20 with 80% open space and resultant 4-acre lots	1:40 with 85% open space and resultant 6-acre lots	1:80 with 90% open space and resultant 8-acre lots	1:160 with 95% open space and resultant 8-acre lots
<b>Alpine</b>  Clustering (lot area averaging) of development is compatible under the following circumstances: The minimum net lot size of any parcel is not less than 75 percent of the minimum lot size specified in the zone or 1 acre in the village area; and, <i>not less than 75 percent of the minimum lot size specified in the zone or 2 acres in the Semi Rural or Rural Lands. However, the Planning Group can recommend a smaller lot size in the Semi Rural area of no less than one acre or in the Rural Lands area of no less than two acres if the project can demonstrate a benefit consistent with the overall goals of the Community Plan.</i>	NA	X (absent Planning Group recommendation, lots smaller than 75% of “zone size,” e.g., 2 acres, are prohibited)	X (absent Planning Group recommendation, lots smaller than 75% of “zone size,” e.g., 2 acres, are prohibited)	X (absent Planning Group recommendation, lots smaller than 75% of “zone size,” e.g., 2 acres, are prohibited)	NA
<b>Bonsall</b>  <i>Require lot sizes, except through planned development, lot area averaging or specific plan projects, to be no smaller than;</i> 50% of the size indicated on the Land Use Map, without	X (unless “appropriate-ness” is found, the minimum lot size is 4 acres)	(X) (unless “appropriate-ness” is found, the minimum lot size is 4 acres)	(X) (unless “appropriate-ness” is found, the minimum lot size is 4 acres)	NA	NA

# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156.  
cont.

<p>clustering or lot averaging, for Semi Rural 4 and higher densities, or <i>Four acres for Semi Rural 10 and lower densities.</i></p> <p><i>Allow further reductions in minimum lot sizes indicated in Policy LU-5.2.1, through planned development, lot area averaging or specific plan projects, only when setbacks, building scale and design are appropriate to retain the equestrian and agricultural community character in the area.</i></p>					
<p><b>Central Mountain</b></p> <p><i>Retain minimum lot sizes outside the Rural Villages to four acres, whenever feasible.</i></p> <p><i>Prohibit new residential developments on lot sizes less than four acres outside of Rural Village boundaries unless specifically exempted in this text.</i></p> <p><i>Discourage tract developments, clustering, conservation subdivisions and major subdivisions. They are out of scale and harmony with the character of the rural community.</i></p> <p><i>Discourage Clustered Development Projects and Conservation Subdivisions within the community of Descanso.</i></p>	<p>XXX (minimum lot size is 4 acres)</p>	<p>NA</p>	<p>XX (onerous policy language has pre-determined plan inconsistency)</p>	<p>XX (onerous policy language has pre-determined plan inconsistency)</p>	<p>NA</p>
<p><b>Crest / Dehesa / Harbison Canyon / Granite Hills</b></p> <p>Restrict development with residential clustering from utilizing lots less than one acre net</p>					<p>NA</p>

# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156.  
cont.

<p><b>Fallbrook</b></p> <p>Require a minimum lot of one gross acre in the Semi-Rural and Rural Lands Regional Categories.</p>				NA	NA
<p><b>Jamul / Dulzura</b></p> <p><i>Semi-rural residential lots should meet the following criteria:</i></p> <p>(a) No lot should be less than one net acre. Land designated Semi Rural 2 with slopes less than 25% should have no more than one dwelling per two acres. <i>Land with slope 25% to less than 50% should have a maximum of 1 dwelling per 4 acres.</i></p> <p>The clustering of dwelling units is compatible in the rural areas under the following circumstances:</p> <p>(a) <i>The minimum lot size for clustering is five net acres for land use designations RL-20, RL-40, RL-80, RL-160.</i></p> <p><i>Proposed clustered development is compatible with the established community character.</i></p>	<p>XXX (for lands on 25-50% slope, the minimum lot size is 4-acres)</p> <p>or</p> <p>X (for lands on less than 25% slope, a finding of compatibility with established community character is required)</p>	<p>XXX (minimum lot size is 5 acres)</p>	<p>X (a finding of compatibility with established community character is required)</p>	<p>X (a finding of compatibility with established community character is required)</p>	NA
<p><b>Mountain Empire Boulevard</b></p> <p><i>LU 1.1.1 Prohibit higher density, clustered subdivisions . . .</i></p> <p>Allow further reductions in minimum lot sizes indicated in Policy LU-[1].2.1, through planned development, lot area averaging or specific plan projects, <i>only when setbacks, building scale and design are appropriate to retain community character in the area . . .</i></p> <p><i>Require planned development, lot area</i></p>	<p>XXX (minimum lot size is 4 acres unless average of adjacent lots is smaller)</p> <p>or</p> <p>XX (clustered subdivisions are prohibited by LU 1.1.1)</p>	<p>XX (clustered subdivisions are prohibited by LU 1.1.1)</p> <p>or</p> <p>X (a finding of being "appropriate" for community character in the area is required)</p>	<p>XX (clustered subdivisions are prohibited by LU 1.1.1)</p> <p>or</p> <p>X (a finding of being "appropriate" for community character in the area is required)</p>	<p>XX (clustered subdivisions are prohibited by LU 1.1.1)</p> <p>or</p> <p>X (a finding of being "appropriate" for community character in the area is required)</p>	NA

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

	<i>averaging or specific plan projects to have the minimum lot size of four acres or the average lot size of adjacent parcels, whichever is smaller . . .</i>	<b>or</b>  <b>X</b> (a finding of being "appropriate" for community character in the area is required)				
G5-156. cont.	<b>Mountain Empire Potrero</b>  Conventional Subdivisions. Require lot sizes, except through planned development, lot area averaging or specific plan projects, to be no smaller than, eight acres for SR-10 and for Rural Lands densities. <i>Conservation Subdivision Program.</i> Allow further reductions for the protection of minimum lot sizes in minimum lot sizes indicated in Policy LU-1.2.1, through planned development, lot area averaging or specific plan projects, <i>only when setbacks, building scale and design are consistent with the community character in the area . . .</i> Groundwater. <i>Require planned development, lot area averaging or specific plan projects to have the minimum lot size of four acres or the average lot size of adjacent parcels, whichever is smaller . . .</i>	<b>XXX</b> (if groundwater dependent, minimum lot size is 4 acres unless average of adjacent lots is smaller)  <b>or</b>  <b>X</b> (when average size of adjacent lots is small enough, a finding of being "appropriate" for community character in the area is still required)	<b>X</b> (a finding of being "appropriate" for community character in the area is required)	<b>X</b> (a finding of being "appropriate" for community character in the area is required)	<b>NA</b>	<b>NA</b>
	<b>North Mountain</b>  <i>Require lots greater than eight acres when subdividing land outside of Rural Village Boundaries to maintain the existing rural character . . . The lot area averaging technique of subdivision of land should generally be discouraged, unless it can be</i>	<b>XXX</b> (lots must be greater than 8 acres)	<b>NA</b>	<b>NA</b>	<b>XXX</b> (lots must be greater than 8 acres)	<b>XXX</b> (lots must be greater than 8 acres)

# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156.  
cont.

demonstrated that such a technique will result in a lesser impact to natural resources on the subject property.					
<b>Ramona</b>  <i>Require the smallest net lot size be [less than] 75% of the minimum lot size specified in the zone for clustered development projects.</i>	XXX (lots smaller than 75% of "zone size" are prohibited)	XXX (lots smaller than 75% of "zone size" are prohibited)	XXX (lots smaller than 75% of "zone size" are prohibited)	XXX (lots smaller than 75% of "zone size" are prohibited)	NA
<b>San Dieguito Elfin Forest / Harmony Grove</b>  <i>Require minimum lot sizes of two acres outside the Village Boundary as the standard, unless significant preservation of resources is achieved and specific findings are met for the preservation of community character with the utilization of lot area averaging, planned residential developments or specific plans</i>	NA	(X) (lots smaller than 2 acres require a finding for preserved community character)	NA	NA	NA
<b>Valle de Oro</b>  <i>Parcel sizes shall be no smaller than 50% of the size indicated without clustering or lot averaging for SR-2 and lower densities . . . .  Require clustered projects throughout the Valle de Oro Community Plan Area to be of similar scale and intensity to surrounding development . . . .</i>	XXX (lots smaller than 50% of "zone size" are prohibited)	XXX (lots smaller than 50% of "zone size" are prohibited)	NA	NA	NA
<b>Valley Center</b>  . . . and a minimum lot size of 0.5 acre in size in the Semi-Rural areas provided the project is sewerred . . .					NA



**Comment Letter G 5, Endangered Habitats League (EHL) (cont.)**G5-156.  
cont.

<i>Policy LU-5.2.1, through planned development, lot area averaging or specific plan projects, only when setbacks, building scale and design are appropriate to retain the equestrian and agricultural community character in the area.</i>			
<p><b>Central Mountain</b></p> <p><i>Retain minimum lot sizes outside the Rural Villages to four acres, whenever feasible.</i></p> <p><i>Prohibit new residential developments on lot sizes less than four acres outside of Rural Village boundaries unless specifically exempted in this text.</i></p> <p><i>Discourage tract developments, clustering, conservation subdivisions and major subdivisions. They are out of scale and harmony with the character of the rural community.</i></p> <p><i>Discourage Clustered Development Projects and Conservation Subdivisions within the community of Descanso.</i></p>	<p>XXX (minimum lot size is 4 acres outside villages)</p> <p><b>or</b></p> <p>XX (within villages, onerous policy language has pre-determined plan inconsistency)</p>	<p>XXX (minimum lot size is 4 acres outside villages)</p> <p><b>or</b></p> <p>XX (within villages, onerous policy language has pre-determined plan inconsistency)</p>	<p>XXX (minimum lot size is 4 acres outside villages)</p> <p><b>or</b></p> <p>XX (within villages, onerous policy language has pre-determined plan inconsistency)</p>
<p><b>Crest / Dehesa / Harbison Canyon / Granite Hills</b></p> <p><i>Restrict development with residential clustering from utilizing lots less than one acre net</i></p>	<p>XXX (minimum lot size is 1 acre)</p>		
<p><b>Fallbrook</b></p> <p><i>Require a minimum lot of one gross acre in the Semi-Rural and Rural Lands Regional Categories.</i></p>	<p>XXX (minimum lot size is 1 acre)</p>		
<b>Jamul / Dulzura</b>			

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156.  
cont.

<p><i>Policy LU-5.2.1, through planned development, lot area averaging or specific plan projects, only when setbacks, building scale and design are appropriate to retain the equestrian and agricultural community character in the area.</i></p>			
<p><b>Central Mountain</b></p> <p><i>Retain minimum lot sizes outside the Rural Villages to four acres, whenever feasible.</i>  <i>Prohibit new residential developments on lot sizes less than four acres outside of Rural Village boundaries unless specifically exempted in this text.</i>  <i>Discourage tract developments, clustering, conservation subdivisions and major subdivisions. They are out of scale and harmony with the character of the rural community.</i>  <i>Discourage Clustered Development Projects and Conservation Subdivisions within the community of Descanso.</i></p>	<p>XXX (minimum lot size is 4 acres outside villages)</p> <p><b>or</b></p> <p>XX (within villages, onerous policy language has pre-determined plan inconsistency)</p>	<p>XXX (minimum lot size is 4 acres outside villages)</p> <p><b>or</b></p> <p>XX (within villages, onerous policy language has pre-determined plan inconsistency)</p>	<p>XXX (minimum lot size is 4 acres outside villages)</p> <p><b>or</b></p> <p>XX (within villages, onerous policy language has pre-determined plan inconsistency)</p>
<p><b>Crest / Dehesa / Harbison Canyon / Granite Hills</b></p> <p><i>Restrict development with residential clustering from utilizing lots less than one acre net</i></p>	<p>XXX (minimum lot size is 1 acre)</p>		
<p><b>Fallbrook</b></p> <p><i>Require a minimum lot of one gross acre in the Semi-Rural and Rural Lands Regional Categories.</i></p>	<p>XXX (minimum lot size is 1 acre)</p>		
<p><b>Jamul / Dulzura</b></p>			

# Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156.  
cont.

<p>Semi-rural residential lots should meet the following criteria:</p> <p>(a) <i>No lot should be less than one net acre.</i> Land designated Semi Rural 2 with slopes less than 25% should have no more than one dwelling per two acres. Land with slope 25% to less than 50% should have a maximum of 1 dwelling per 4 acres.</p> <p>Proposed clustered development is compatible with the <i>established</i> community character</p>	<p>XXX (minimum lot size is 1 acre)</p>	<p>XXX (if less than 25% slope, 2-acre lots are required)</p> <p>or</p> <p>X (must be found compatible with <i>established</i> community character)</p>	<p>X (must be found compatible with <i>established</i> community character)</p>
<p><b>Mountain Empire Boulevard</b></p> <p><i>LU 1.1.1. Prohibit higher density, clustered subdivisions . . .</i></p> <p>Allow further reductions in minimum lot sizes indicated in Policy LU-[1].2.1, through planned development, lot area averaging or specific plan projects, <i>only when setbacks, building scale and design are appropriate to retain community character in the area . . .</i></p> <p><i>Require planned development, lot area averaging or specific plan projects to have the minimum lot size of four acres or the average lot size of adjacent parcels, whichever is smaller . . .</i></p>	<p>NA</p>	<p>NA</p>	<p>XXX (minimum lot size is 4 acres unless average of adjacent lots is smaller)</p> <p>or</p> <p>XX (clustered subdivisions are prohibited by LU 1.1.1)</p>
<p><b>Mountain Empire Potrero</b></p> <p><i>Conservation Subdivision Program.</i> Allow further reductions for the protection of minimum lot sizes in minimum lot sizes indicated in Policy LU-1.2.1, through planned development, lot</p>	<p>XXX (if groundwater dependent, minimum lot size is 4 acres unless average of adjacent lots</p>	<p>NA</p>	<p>XXX (if groundwater dependent, minimum lot size is 4 acres unless average of adjacent lots</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156.  
cont.

<p>area averaging or specific plan projects, <i>only when setbacks, building scale and design are consistent with the community character in the area . . .</i></p> <p>Groundwater. <i>Require planned development, lot area averaging or specific plan projects to have the minimum lot size of four acres or the average lot size of adjacent parcels, whichever is smaller.</i></p>	<p>is smaller)</p> <p><b>or</b></p> <p>X (a finding of consistency with community character in the area is still required)</p>		<p>is smaller)</p> <p><b>or</b></p> <p>X (a finding of consistency with community character in the area is still required)</p>
<p><b>North Mountain</b></p> <p><i>Require lots greater than eight acres when subdividing land outside of Rural Village Boundaries to maintain the existing rural character . . .</i></p> <p><i>The lot area averaging technique of subdivision of land should generally be discouraged, unless it can be demonstrated that such a technique will result in a lesser impact to natural resources on the subject property.</i></p>	<p>XXX (lots must be larger than 8 acres outside villages)</p> <p><b>or</b></p> <p>X (clustering is generally discouraged)</p>	NA	<p>XXX (lots must be larger than 8 acres outside villages)</p> <p><b>or</b></p> <p>X (clustering is generally discouraged)</p>
<p><b>Ramona</b></p> <p><i>Require the smallest net lot size be [less than] 75% of the minimum lot size specified in the zone for clustered development projects.</i></p>	<p>XXX (lots smaller than 75% of "zone size" are prohibited)</p>	<p>XXX (lots smaller than 75% of "zone size" are prohibited)</p>	<p>XXX (lots smaller than 75% of "zone size" are prohibited)</p>
<p><b>San Dieguito: Elfin Forest / Harmony Grove</b></p> <p><i>Require minimum lot sizes of two acres outside the Village Boundary as the standard, unless significant preservation of resources is achieved and specific findings are met for the preservation of community character with the utilization of lot area</i></p>	<p>X (outside villages, lots smaller than 2 acres require finding for preserved community character)</p>	<p>X (outside villages, lots smaller than 2 acres require finding for preserved community character)</p>	<p>X (outside villages, lots smaller than 2 acres require finding for preserved community character)</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-156. cont.	averaging, planned residential developments or specific plans.			
	<b>Valle de Oro</b>  <i>Parcel sizes shall be no smaller than 50% of the size indicated without clustering or lot averaging for SR-2 and lower densities . . . .</i> <i>Require clustered projects throughout the Valle de Oro Community Plan Area to be of similar scale and intensity to surrounding development . . .</i>	XX (requires similarity to surrounding development)	XX (requires similarity to surrounding development)	XX (requires similarity to surrounding development)
	<b>Valley Center</b>  and a minimum lot size of 0.5 acre in size in the Semi-Rural areas provided the project is sewered . . .			

- G5-157. Some of the above Planning Groups have recommended lot size restrictions and other obstacles that would go even further than those shown in the table (which are staff recommendations). For example, the Potrero Community Planning Group has recommended that lots not be reduced below 8 acres in SR-10 and below 16 acres in RL-20, RL-40 or RL-80, as well as a Major Use Permit requirement for Conservation Subdivisions. The Boulevard Community Planning Group has recommended fixed lot sizes corresponding to the “zone size.” This would mean minimum lot sizes of 10, 20, 40, and 80 acres in SR-10, RL-20, RL-40 and RL-80, respectively. If adopted, these numerical restrictions would void the Conservation Subdivision’s percent avoided resources requirements.
- G5-158.

- G5-159. Also, the examples in the tables above are from Community Plans with *specific* numeric references to lot size or policies relating directly to clustering of units. Not included are the more general policies – present in virtually *all* Community Plans – to maintain rural, scenic, historical, community, and/or agricultural character, and to permit only new development that perpetuates the existing land use patterns. For example, the Julian and Rainbow plans state:

Land use within the Julian Community Plan shall retain and improve the historic and rural character of the community . . . Large lot sizes are necessary in the agriculturally-zoned lands to maintain rural character, protect steep slopes, and



## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-159. cont.	preserve and protect open space and agriculture where economically feasible. (Julian Community Plan, pp. 39, 41)
G5-160.	Land use that retains and enhances the rural character of the community . . . Maintain the existing rural lifestyle by continuing the existing pattern of residential and agricultural uses within the Rainbow CPA . . . Prohibit development that is not compatible with community character and existing pattern of development. (Rainbow, Community Plan, pp. 15-16)
G5-161.	<p>Ubiquitous Community Plan policies against development that varies from the <i>existing</i> large lot pattern will thwart Conservation Subdivisions across the board, as smaller lots are a new land use pattern for most areas. Thus, the language in the tables is only a portion of the barriers to the Conservation Subdivision posed by the Community Plans.</p> <p>Collectively, these “poison pills” render the Conservation Subdivision program ineffective if not meaningless. Over large areas, the minimum percent open space requirements for 1:10 to 1:160 designations would be prohibited outright or would face major obstacles, and Lot Area Averaging and Planning Residential Developments within 1:1 to 1:4 would face similar obstructions. It should also be noted that some of the North County, East County, and Backcountry communities with the most intact natural resource, agricultural, and watershed values present the most specific conflicts with the preservation goals of the program.</p>
G5-162.	<p>Some examples follow:</p> <ul style="list-style-type: none"> <li>○ The community of Bonsall contains visual, agricultural resources, and sensitive habitat lands. Within Bonsall’s Semi-Rural designations, Conservation Subdivisions are compromised by restrictive policies.</li> </ul>
G5-163.	<ul style="list-style-type: none"> <li>○ In San Dieguito, there are highly sensitive natural resources, including coastal sage scrub, and scenic vistas, yet restrictive policies will make it difficult to prevent additional fragmentation of these already depleted habitats.</li> </ul>
G5-164.	<ul style="list-style-type: none"> <li>○ Containing a wide range of land use designations, Ramona’s scenic ranch lands and species-rich grasslands and oak savannahs are treasures. Ramona also supports significant irrigated agriculture. Yet the Community Plan categorically prohibits the benefits of the Conservation Subdivision in all designations.</li> </ul>
G5-165.	<ul style="list-style-type: none"> <li>○ The vast North Mountain region is highly intact ecologically, containing large ranches and the natural resources of Palomar Mountain. Yet it too prohibits the Conservation Subdivision in all designations.</li> </ul>
G5-166.	<ul style="list-style-type: none"> <li>○ In the Mountain Empire, the Potrero plan denies the benefits of the Conservation Subdivision across intact habitat and ranchlands of high scenic</li> </ul>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-167.	value. In Boulevard, such biologically rich and intact resources are also needed to ensure landscape connectivity with Mexico, yet the Conservation Subdivision is effectively prohibited in all designations. Both Community Planning Groups have recommended even more onerous restrictions.
G5-168.	<ul style="list-style-type: none"> <li>○ Jamul is a unique landscape that transitions ecologically between coast and inland regions, with habitats of great sensitivity and scenic value. Yet the Conservation Subdivision is rendered ineffective in all land use designations.</li> </ul>
G5-169.	<ul style="list-style-type: none"> <li>○ Central Mountain boasts scenic vistas and rich forest, oak woodlands, and ranch lands. However, the Conservation Subdivision is virtually prohibited across this landscape.</li> </ul>
G5-170.	<ul style="list-style-type: none"> <li>○ In Alpine, sensitive scrub and oak communities mingle, with impressive viewsheds, but the program is again rendered ineffective.</li> </ul>
	<p>Irregular or “panhandle” lots with backyard open space might be posited as a way to circumvent the lot size restrictions of the Community Plans and still meet the goals of the Conservation Subdivision. However, this technique will prove of limited value, and cannot substitute for the ability to create smaller, clustered lots and a single, contiguous, and intact open space lot.</p>
G5-171.	<p>The Subdivision Ordinance itself places fixed constraints on lot dimensions, road access, frontage, setbacks, etc. which limits the use of panhandles lots to protect open space. Section 401.81(i) of the ordinance states, “Lot depth shall be at least 90 feet and shall be no greater than three times the average width.” The depth-width requirement restricts the ability of backyard open space to stretch across a large property. In many cases, the <i>number</i> of lots needing to be consolidated contiguously will demand smaller lots. Topography, septic, and other site design constraints will further limit the ability to design multiple panhandle lots that achieve the large contiguous blocks of natural resources that are the purpose of the Conservation Subdivision. Also, it is not realistic to assume that separate backyard open spaces will be holistically managed for agricultural or habitat purposes as would a single, common open space lot.</p>
G5-172.	<p><b>Conservation Subdivision Program</b></p> <p>The current draft presents a much weaker program than previously proposed. EHL prefers a program – with its own standalone ordinance – that is mandatory in all Semi-Rural and Rural designations, with defined minimum open space requirements for each density level. Findings should be made for compatibility with neighboring areas through <i>rural design standards</i> that are not dependent upon lot size.</p>
G5-173.	<p>The current proposal is implemented by amending the existing zoning and subdivision ordinances. At densities of 1:10 to 1:160, a Conservation Subdivision is required according to specific open space set aside percentages. At densities of 1:1 to 1:1:4, a Conservation Subdivision is not required, but is optional to the applicant via Lot</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-173. cont. Area Averaging (Administrative Permit) and Planned Residential Development, or PRD (Major Use Permit). While there has been some streamlining of these processes, along with effort to insert flexibility into site design, achieving a meaningful Conservation Subdivision at 1:1 - 1:4 ultimately depends upon the discretionary review and public hearing process.

Our comments are as follows:

G5-174. Any open space lot created via the Conservation Subdivision Program (whether via Lot Area Averaging, PDR, or the Subdivision Ordinance), should be protected from future subdivision or incompatible uses via *two* conservation or open space easements. Specifically, in addition to the County, an easement should be dedicated to a responsible *third party*, such as a land trust or, in the case of habitat lands, the Dept. of Fish and Game. The third party easement holder is a necessary backstop against vacation of the easement at the County level.

G5-175. For Zoning Ordinance Lot Area Regulations, Section 4230(b)(1)ii, the required finding for lot compatibility is too rigid, which should rest on proper rural design rather than lot size. Also, the finding for buffering sets so high a bar that it arguably cannot be met. The suggested change in the latter regard reflects CEQA practice on mitigation of impacts. Suggested revisions follow:

. . . all lots in the subdivision which adjoin neighboring properties are generally compatible ~~in size and shape to~~ with the adjoining lots . . . or that adequate buffering has been provided to eliminate any significant harmful effect to neighboring properties.

G5-176. Subdivision Ordinance Section 81.401, Design of Subdivision, Table 81.401.1, should be clarified that the Percent Avoided Resources is a *minimum* threshold that can be *exceeded* if all the other design criteria pertaining to the subdivision are met. This would reflect the language in the Draft Rural Subdivision Design and Processing Guidelines, Section 2.4.1 (p. 5) that states, "For rural lands, the Subdivision Ordinance contains avoidance minimums for environmental resources (see Table 2)." Also, this has always been the intent of the program, as consistently seen in prior DPLU documents (e.g., Attachment H for Board of Supervisors, May 19, 2004, Table H-1, which states "Minimum Open Space Lot"). Thus, the Table should read "Minimum Percent Avoided Resources."

G5-177. For Subdivision Ordinance Section 81.306, Modification of Regulations, we recommend adding a provision that any waiver or modification will be the minimum deviation necessary to address the potential of a constitutional taking.

G5-178. For Subdivision Ordinance Section 81.401, Design of Subdivision, paragraph (p), the design criteria for 1:10 -1:160 are generally good, but some changes are needed for (p)(6)vi. These suggested changes anticipate future potential subdivision when the full

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

	density yield was not initially achieved, and avert a wide-open loophole due to the overly broad concept of “public welfare.” Suggested revisions follow.
G5-178. cont.	<p>... The avoided lands shall be protected with an easement dedicated to the County of San Diego <del>or</del> <u>and</u> a conservancy approved by the Director . . . The required open space shall be maintained as open space for as long as the <u>non-open space</u> lots created through this provision of the Ordinance, <u>or lots created through subsequent subdivision of the original non-open space lots</u>, remain, except in circumstances where a need to vacate is required for public health; <u>or</u> safety; <del>or</del> <u>welfare</u>.</p>
G5-179.	The Rural Subdivision Design and Processing Guidelines are excellent.
G5-180.	<p>In the Groundwater Ordinance, Section 67.722, All Other Projects, the exception for Lot Area Averaging and Conservation Subdivision still requires lot sizes no less than 2/3rds the size of the minimums otherwise in effect. <i>This will void the Conservation Subdivision Program in many locations. Thus, adding the anticipated provisions for wells in common areas, well spacing, etc. are vital.</i></p>
G5-181.	<p>Also, the above exception for smaller lots in Section 67.722 should also apply to Planned Residential Developments (in addition to Lot Area Averaging) and to Conservation Subdivisions conducted pursuant to the Subdivision Ordinance (as well as pursuant to the Zoning Ordinance).</p>
	<p>Perhaps our most significant comment is the Community Plans must not trump the Lot Area Averaging, Planned Development Standards, or Conservation Subdivision provisions, such as in setting a conflicting minimum lot size, requiring inflexible “consistency” with subjectively defined “community character,” or restricting development that does not fit established patterns. Such fatal undermining is evident in the Conservation Subdivision Program itself, when the text acknowledges its subservient position relative to the Community Plans:</p>
	<p><u>Introduction</u></p>
G5-182.	<p>“It is important to note that projects proposed under the Conservation Subdivision programs will not be allowed by-right, and consequently will require discretionary review necessitating that findings be made to assure project compatibility with community character and community plans.” (p. 1)</p>
	<p><u>Lot Area Regulations</u></p>
	<p>“ . . . all lots in the subdivision which adjoin neighboring properties are compatible in size and shape to the adjoining lots . . . or that adequate buffering has been provided to eliminate any harmful effect to neighboring properties.” (p. 13)</p>

## Comment Letter G 5, Endangered Habitats League (EHL) (cont.)

G5-182.  
cont.

“The proposed subdivision . . . will be consistent with . . . Community Plans.”  
(p.14)

### Planned Development Area Regulations

“ . . . all lots comply with the applicable community plans . . . ” (p. 19)

### Subdivision Ordinance

“ . . . ensuring that . . . community character [is] undisturbed.” (p. 29)

“subject to applicable community plans” (p. 29)

“Development shall be consolidated to the maximum extent permitted by . . . the applicable Community Plans.” (p. 32)

The thrust of these comments is that the primacy of the Community Plans is a legal fact, and that that the remedy for the undermining of the Conservation Subdivision Program is to *revise the Community Plans*. Therefore, the sections in the Community Plans that affect the Conservation Subdivision should be changed. Specifically:

G5-183.

1) references to lot size in the Community Plans should be removed and deferred to the Zoning Ordinance and Subdivision Ordinance, and

2) within the Community Plans, policies for preservation of community character should address Conservation Subdivisions through the meeting of *rural design guidelines* that do not pivot on lot size and do not exclude patterns of development that meet these guidelines yet vary from existing development patterns.

G5-184.

In conclusion, as reflected in a considerably shorter comment letter, this draft General Plan document is significantly improved. Regarding the outstanding remaining issues, particularly the conflicts between the Community Plans and the Conservation Subdivision, it is our intent to continue to collaborate with DPLU on solutions. It remains a privilege for Endangered Habitats League to be involved in this historic endeavor.

Electronic copies: Board Offices  
Chandra Wallar  
Eric Gibson  
Jeff Murphy  
Claudia Anzures  
Interested parties

With best regards,



Dan Silver, MD  
Executive Director



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**Responses to Letter G 5, Endangered Habitats League (EHL)**

- G5-1      The County does not agree with this comment, to which to the County's response is provided in greater detail in responses to comments G5-2 to G5-114.
- G5-2      The County acknowledges that the proposed project may not fully comply with State housing law; however, the County does not agree that numerous internal inconsistencies exist. These issues are addressed in greater detail in responses to comments G5-3 to G5-114.
- G5-3      The County does not agree that the project description in the DEIR is inaccurate or unstable. The County gave careful consideration to pending projects in determining their treatment in the EIR. In referring to "pending projects...likely to be developed in a manner totally at odds with the proposed project," it is believed that the commenter is referring to those existing General Plan Amendment applications, subdivision proposals, and other development proposals currently being processed by the County that are not consistent with the General Plan Update. The primary reason that these current development proposals are not consistent with the General Plan Update is that they are being processed and evaluated pursuant to the existing General Plan, which is significantly different in places from the proposed General Plan Update. State law mandates that the County apply the existing General Plan to such projects while they are in process.
- G5-4      The County does not agree that the acreages of the above described projects should be "subtracted out" of the General Plan Update analysis. This approach would result in an incomplete analysis of the proposed General Plan. By "subtracting out" these acreages, there would seem to be an assumption that the above described pending projects would be approved and would supersede the General Plan Update. This assumption would be flawed for multiple reasons. First, there is no assurance that any of the pending projects would be approved. These projects are subject to individual discretionary approvals by the County. Secondly, while many of the projects are "pipelined" giving them special status to be processed under the existing General Plan regardless of the timing of the General Plan Update, a substantial number of these projects are not "pipelined." Therefore, unless they can obtain their approvals prior to approval of the General Plan Update, these non-pipelined projects will be required to conform to the General Plan Update (not the opposite, which such an assumption would suggest). Additionally, because there is a significant likelihood that the General Plan Update designations will become effective on many of these properties, there is a need to evaluate those specific designations in the EIR and to compare any differences among the alternatives. By appropriately including these projects as "cumulative projects", the County does not agree that the DEIR miscasts in any sense. Further, the County does not agree that this approach results in an "inaccurate analysis of the alternatives." As already explained, the County believes a comparison of the alternatives on these lands is essential as it is not a foregone conclusion that a pending project will be approved. Should the pending project be approved, there would be no difference among the alternatives for the area of the project. Thus, the result would be that any differences identified among the alternatives under the existing analysis would likely be slightly reduced.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-5 While these statements are mostly accurate, the County notes that the pending projects are not necessarily "likely" to be approved as explained above. Additionally, of the 148 listed projects, only 30 are "pipelined." Since preparation of the list, two of these projects have been approved and six have been denied or withdrawn resulting in only 22 remaining "pipelined" subdivisions.
- G5-6 As discussed under response to comment G1-4, these projects were analyzed in addition to the General Plan Update because they are not a part of the proposed project. As separate discretionary projects that may result in cumulative impacts, they are correctly included under the cumulative analysis of the DEIR.
- G5-7 The County has determined that subtracting out such areas would deprive the DEIR of necessary analysis and would result in a flawed document (see also response to comment G1-4). Instead, the DEIR very clearly explains that a number of additional projects are currently being considered by the County and are included as part of the cumulative analysis. It should be noted that the County did analyze the areas where these proposed projects are located and analyzed the proposed General Plan Update designations for those sites. The County does not agree that the descriptions or analyses in the DEIR are inaccurate.
- G5-8 The County does not agree with the statements in this comment. The commenter provides no evidence that the project description is not stable. Rather, the County contends that the approach taken (as opposed to the one suggested by the commenter) resulted in a project with greater stability. To assume that pending private development projects are a part of the proposed project (as suggested by the commenter) would add an extremely unstable component to the project. The commenter is also incorrect in his understanding of the analysis for traffic and air quality. The analysis for these issues contained separate project-specific and cumulative analyses, as did all other analysis areas.
- G5-9 The County does not agree that the DEIR contains the suggested inaccuracies. Please refer to responses to comments G5-3 through G5-8 above.
- G5-10 The County does not agree that the DEIR fails to address the impact of the pending projects. Rather, the County finds that the approach taken in the DEIR is in compliance with CEQA and provides essential analysis of the entire proposed project and differences among the alternatives.
- G5-11 The County does not agree that the spatial appearance of the land use maps is inaccurate. The proposed General Plan land use maps display the extent of County General Plan designations. They are not an exhibit of on-the-ground densities.
- G5-12 The County does not agree that the difference between the existing conditions and the General Plan Update plus pending projects is underestimated because the pending projects are included in the cumulative analysis and have not been approved.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-13 The County does not agree that the differences between the project map alternatives and No Project Alternative are inaccurate or problematic. Please also see response to comment G5-4. The County finds that a comparison of the alternatives on these lands with pending projects to be essential as it is not a foregone conclusion that a pending project will be approved. Should a pending project be approved, the County acknowledges that there would be no difference among the alternatives for the given location. As such, differences identified between the alternatives would likely be slightly reduced.
- G5-14 The County does not agree that the impacts described in the DEIR are inaccurate because the DEIR correctly focuses project-specific analysis on the proposed project and adequately addresses the pending projects under the cumulative analysis. See also responses to comments G5-3 through G5-12 above.
- G5-15 The County does not agree with this comment. While the pending projects may provide additional capacity, their approvals are not a foregone conclusion and inclusion of their capacity in the estimates for the proposed project and alternatives would not be appropriate.
- G5-16 In the referenced case, the petitioners argued (and Court agreed) that the project description set forth in the Merced DEIR was unstable and misleading because it indicated, on the one hand, that no increases in mine production were being sought, while on the other hand, it provided for substantial increases in mine production if the project were approved. In addition, the project description contained inconsistencies regarding the production capacities. The County does not agree that there are any similarities with this case and the General Plan Update DEIR. The DEIR clearly describes the proposed project and all possible increases in development that may result from the proposed project and any cumulative projects. The County also notes that the commenter has not identified any inconsistencies in data similar to the ones that plagued the Merced DEIR.
- G5-17 The County does not agree with the suggested inaccuracies and therefore no revisions are necessary. Please also refer to responses to comments G5-3 through G5-16 above.
- G5-18 The County agrees with the importance of the alternatives analysis but does not agree that the DEIR is inadequate or has "papered over" the differences of the alternatives. To the contrary, the DEIR goes into great detail over the differences among alternatives. This is evident in Appendix L: Project Alternatives Areas of Difference, which provides property-specific details and analyses on the areas where the alternatives differ. More specific concerns of the commenter are addressed in the following responses.
- G5-19 It is unclear what legal standards are being referred to in this comment as the majority of case references provided by the commenter relate to the importance of the alternatives and how the decision-making body must handle the alternatives. Nevertheless, the County does not agree that the DEIR has failed to meet any legal standard related to the General Plan Update alternatives analysis. Moreover, the

## Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)

County disagrees with the assertion that an underestimating of differences pervades the DEIR. Without specifically identifying the areas of concern, the County cannot address this comment in greater detail.

- G5-20 The County does not agree that the alternatives analysis must go into the level of detail suggested by the comment. However, to better describe the difference in potential indirect biological impacts, the following sentence was added to DEIR Section 4.3.2.4:

“In addition, based on a comparative impact report prepared by the Conservation Biology Institute (CBI 2005), indirect impacts to habitat would be substantially reduced in the Draft Land Use Map Alternative when compared to the proposed project.”

The County does not agree that the potential difference in impact acreages between the proposed project and the Draft Land Use Map Alternative would amount to as much as two hundred thousand acres. While the County does not refute the methods and analysis used in the CBI report, the report did not account for existing regulations and policies that would limit the amount of vegetation that can be cleared with a development permit.

- G5-21 In response to this comment, the County added a new table to DEIR Chapter 4.0 Project Alternatives. The table compares estimated habitat impacts among the four alternatives and the No Project Alternative. While this information does not change the conclusions in the DEIR regarding significance, it does provide more information to the public and the decision makers regarding the potential losses of specific habitat types under each alternative. The following abbreviated table shows the total impacts to vegetation communities for the alternatives:

**Table 4-8 Comparison of Alternatives - Habitat Impacts (acres)**

	Proposed Project (Referral Map)	Hybrid Map Alternative	Draft Land Use Map Alternative	Environmentally Superior Map Alternative	No Project Alternative (Existing General Plan)
Total Impacts	174,638	157,139	151,780	123,544	572,879

- G5-22 The County utilized the CBI study as a key reference in the DEIR, as further described below in response to comment G5-23. In addition, Chapter 4.0 of the DEIR has been revised to include additional detail quantifying potential biological impacts for each alternative (see response to comment G5-22 above). It should be noted that the Board of Supervisors will determine how the County can best meet its objectives and such determinations are not required within the DEIR. However, the County has further revised Section 4.3.2.18 to clarify the Draft Land Use Map’s potential fulfillment of project objectives compared to the proposed project.

- G5-23 The County does not agree with this comment as a whole. The CBI study prepared in 2005 was cited in the DEIR Subchapter 2.4 and treated as a key reference. The

**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- information in the study was not “buried.” In response to comments G5-20 and G5-21 above, the County has also made reference to the study in Section 4.3.2.4 of the DEIR. However, it is important to note that the study does not account for existing policies and regulations when estimating potential impacts, does not account for biological conditions in 2008 (DEIR baseline), and does not account for changes made to the land use maps since 2005. As such, the County relied heavily on GIS and current regulatory data to estimate direct impacts to biological resources but still discussed the CBI report in terms of how changes in density can affect biological communities. The DEIR does not mislead the reader into thinking that the biological impacts of the two alternatives are equal. Section 4.3.2.4 clearly states that the Draft Land Use Map Alternative would result in less impact than the proposed project and includes quantifiable information for comparison. Therefore, the analysis is adequate under CEQA and does not require substantial revisions that warrant recirculation of the document.
- G5-24 This comment does not raise an environmental issue related to the content of the EIR. The required findings for project approval, including determinations regarding feasibility, overriding considerations, and fulfillment of project objectives, will be made during the final Board of Supervisors’ hearing process. As such, the County cannot confirm or dispute the claims made in this comment at the present time.
- G5-25 The approach taken in the DEIR when summarizing an alternative’s fulfillment of the project objectives was to highlight the overall major differences between the alternatives. While the County agrees that there are significant differences between the alternatives with regard to specific sub-issues of the objectives, when evaluating the overall impact, the County originally did not find it necessary to differentiate the level of fulfillment as a result of some of these differences. The County appreciates the commenter’s concern with this approach and as a result has revised Section 4.3.2.18 to reflect which project objectives the Draft Land Use Map would fulfill better than the proposed project. In addition, Sections 4.2.2.18 and 4.4.2.18 have been revised to take a consistent approach when assessing the Hybrid Map and Environmentally Superior Map alternatives’ fulfillment of project objectives as compared to the proposed project.
- G5-26 Please refer to response to comment G5-25.
- G5-27 Please refer to response to comment G5-25.
- G5-28 DEIR Table 4-6 has been replaced with a table that more clearly shows how the project alternatives compare with number of housing units forecast inside and outside the San Diego County Water Authority (SDCWA) boundary. Based on the revised table, DEIR Section 4.2.2.8, Hydrology and Water Quality, under the Groundwater Supplies and Recharge heading has been revised to state that the number of dwelling units that could be built outside the SDCWA boundary are less under the Hybrid Map alternative when compared to the proposed project; therefore, the Hybrid Map alternative would result in a lesser impact to groundwater. Accordingly, Hydrology and Water Quality Sections 4.3.2.8 and 4.4.2.8 have also been revised to similarly reflect the revised Table 4-6 and to explain that both the



**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

Draft Land Use Map and Environmentally Superior Map alternatives would result in a lesser impact to groundwater when compared to the proposed project.

- G5-29 The County does not agree with the comment. The determination of whether or not an alternative satisfies a project objective is at the discretion of the local agency and for this project will ultimately be determined by the Board of Supervisors. For this project, the Proposed Project or Referral Map was considered to fulfill the project objective of "supporting a reasonable share of population growth." While anything less would result in less fulfillment of the objective to the degree of the difference. The Referral Map is relevant for this purpose primarily for two reasons: 1) The estimated population capacity for the Referral Map is roughly the same as the 2002 Working Map, which in 2003 was included in the Board's confirmation of project direction; and 2) The Referral Map is an outgrowth of the Draft Land Use Map at the specific direction and guidance by the Board.
- G5-30 The County generally agrees with the information provided in the comment. The issues raised in this comment are not at variance with the existing content of the DEIR.
- G5-31 Fulfillment of the objective of "supporting a reasonable share of population growth" will be determined by the Board of Supervisors; and for the purposes of the DEIR, is based on past Board actions. SANDAG forecasts are not relied upon to determine fulfillment of the objective. Please also refer to response to comment G5-29.
- G5-32 The commenter refers to past staff analysis from a 2004 Board report. Fulfillment of the objective of "supporting a reasonable share of population growth" will be determined by the Board of Supervisors. Please also refer to response to comment G5-29. Additionally, it should be noted that the outcome of that 2004 Board hearing was the initial creation of the Referral Map (then referred to as the Consensus Alternative Map).
- G5-33 The commenter again quotes past staff analysis. However, the Board of Supervisors will ultimately determine how the County can best meet its project objectives and will judge the adequacy of the project. See also responses to comments G5-24, G5-29, G5-31, and G5-32.
- G5-34 The commenter's concerns with "conclusions of equivalency" are addressed under response to comment G5-25. The remainder of the comment is related to process and does not raise an environmental issue related to the content of the DEIR. However, the County notes that there has been significant discussion and analysis related to referrals, much of which is included in DEIR Appendix L: Project Alternatives Areas of Differences.
- G5-35 This comment does not raise an environmental issue related to the content of the EIR; therefore, no response is necessary.
- G5-36 This comment does not raise an environmental issue related to the content of the EIR; therefore, no response is necessary.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-37 This comment does not raise an environmental issue related to the content of the EIR; therefore, no response is necessary.
- G5-38 This comment does not raise an environmental issue related to the content of the EIR; therefore, no response is necessary.
- G5-39 The 2004 analysis referred to by the commenter was a staff analysis of planning principles. It should be noted that the planning principles were not prepared as project objectives for the purpose of CEQA, nor was the analysis prepared pursuant to CEQA. Additionally, the resulting analysis was not certified, endorsed, or otherwise approved by the Board.
- G5-40 As discussed under response to comment G5-25, the DEIR conclusions related to fulfilling project objectives have been revised to further address this issue. Ultimately, the Board of Supervisors must determine how the County can best meet its objectives. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.
- G5-41 The use of the quoted phrase is not an attempt to hide any facts. Rather it is used to avoid redundancy in generally describing impacts. By referring the reader to the Hybrid Map Alternative analysis, the discussion of the Draft Map impacts can focus on the discernable and quantifiable differences of the alternatives. To the contrary of the commenter's suggestion, the County believes that this approach highlights the differences rather than obscures them.
- G5-42 The County does not agree with the commenter's assertions regarding the findings. Please refer to responses to comments G5-24, G5-29, G5-31, G5-32, G5-33, and G5-40 for more detailed responses to issues raised in this comment.
- G5-43 The County does not disagree with the stated information. Issues raised in this comment are not at variance with the existing content of the DEIR.
- G5-44 The County does not agree with this comment. While the comment is correct that the Draft Map is evaluated as fulfilling most of the objectives more than the proposed project, the DEIR identifies that the proposed project fulfills the project objective of "supporting a reasonable share of population growth" while the Draft Map would not be considered to fully fulfill this objective. Refer to response to comment G5-29 for more on this issue.
- G5-45 The County is in agreement with the stated requirements of CEQA but does not agree that the DEIR's mitigation measures fail to satisfy CEQA. CEQA Guidelines Section 15126.4(a)(2) also states, "In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design." The policies that are listed in the DEIR are policies that would be adopted as part of the General Plan, and are therefore consistent with CEQA. Additionally, because of inclusion in the General Plan, they will guide and direct the land use decisions of the County. A General Plan, which is often referred to as a local agency's "constitution," is the supreme document for local

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

land use policy and decision making. Most decisions are required (either by State or local law) to be consistent with the General Plan.

- G5-46 This comment appears to suggest certain problems with the DEIR and the County is not in agreement. CEQA Guidelines Section 15126.4(a)(1)(B) states that, "Measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way." Performance standards are not required for all mitigation measures and numeric standards would be inappropriate for most of the policies in the General Plan. Instead, most General Plan policies and implementation measures contain objective standards of implementation. This is appropriate given that the General Plan is a policy level document that guides decision making and program implementation. The County has specifically avoided the use of excessive detail in its General Plan in order to provide a concise, clear, and more user-friendly policy document. A second level of detail is provided in the General Plan Implementation Plan, which also contains the remainder to the mitigation measures identified in the DEIR and is proposed for adoption with the General Plan Update. This is also a policy level document leaving further detail to be provided with development of specific implementation measures. However, in either case, the County finds that compliance with the policy or measure is clear.
- G5-47 The comment appears to suggest that the DEIR should either contain measurable performance standards or demonstrate that they would be infeasible. The County does not agree that either of these suggestions are requirements under CEQA. See also response to comment G5-46.
- G5-48 The comment indicates that the subsequent comments on biological impacts are representative of inadequacies throughout the DEIR. The County does not agree that the DEIR is inadequate and the specific responses to the biological resources analysis is provided below.
- G5-49 The County does not agree with the comment. The County believes that monitoring, managing, and maintaining are very clear and enforceable actions. It acknowledges that further detail on how these actions will be undertaken must be documented; however, the more appropriate location for these details is in the preserve plans, such as the South County Multiple Species Conservation Program (MSCP) Subarea Plan which has been (or in the case of new preserves, will be) prepared in coordination with stakeholders and Wildlife agencies, and adopted by the Board of Supervisors. The comment also suggests that this policy is inadequate because most of the County does not have a regional preserve system. The County disagrees with this because this policy is not the only policy or implementation measure addressing biological resources. It must be considered in concert with the other listed policies and measures, many of which apply to the areas not included in the current preserve system. The County can provide assurances that these actions will be completed by adopting the Implementation Plan that is proposed along with the General Plan Update.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-50 The County does not agree with the comment. As a policy, the County believes the draft wording is appropriate. The policy indicates "support" of the "proactive assemblage of a biological preserve system." Support can come in many forms and must be tailored to the situation on hand. This is appropriate because assemblage of the preserve is achieved through the action of many different parties, many of which the County has no direct control over. The General Plan Update Implementation Plan provides mechanisms for the County to facilitate the assemblage of the preserve. The policy also commits to "facilitate development through mitigation banking opportunities." Again, there are many possibilities for a County role with mitigation banking and therefore this policy generally supports such endeavors while allowing the County flexibility to determine an appropriate role for the given situation.
- G5-51 The County does not agree with the comment. As discussed under response to comment G5-49, preserve plans such as the MSCP Subarea Plan, contain details on preserve assemblage, management, maintenance, and monitoring. Funding is also identified in those plans in consideration of the implementation of the other components of the projects. At a policy level, it is inappropriate to identify a more specific level of funding as the funding is typically shared by multiple parties and comes from multiple sources.
- G5-52 The County does not agree with the comment. As discussed in responses to comments G5-49 through G5-51, support can come in many forms and must be tailored to the situation on hand as assemblage of a preserve is accomplished by numerous parties. In addition, the General Plan policies are supported by many implementing tools depending on the issue. For preserve assemblage, implementing tools include but are not limited to the MSCP Plans, Biological Mitigation Ordinance, Resource Protection Ordinance, NCCP Guidelines, Watershed Protection Ordinance, Zoning Ordinance, and the proposed Implementation Plan.
- G5-53 As identified in the Draft Implementation Plan, Policy COS-1.9 would be implemented on a project-by-project basis through the County's landscaping requirements which are contained in the Landscaping Ordinance. It should be noted that the County recently updated its Landscaping Ordinance in response to State law and it strongly encourages the use of low water, native plantings. Within preserves, management of invasive plants is typically addressed in the preserve plan and is the responsibility of the owner and manager of the specific lands within the preserve.
- G5-54 Conservation and Open Space Policy COS-1.10, Public Involvement, was formerly COS-23-3 in the Open Space Resources section of the November 2008 draft General Plan. The policy was relocated into the Biological Resources section so as to consolidate it with other habitat conservation policies. The policy is intended to reinforce the County's commitment to an open planning and resources management process.
- G5-55 As stated in the policy, the volunteer preserve managers would "supplement professional enforcement staff." Managers are funded and included in preserve plans. This policy supports an additional program for added effectiveness.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-56 Policy COS-2.1, Protection, Restoration, and Enhancement, is a General Plan policy and therefore does not contain a standard. The County's approach is to set general goals and policies, then develop implementation tools to achieve them. To the contrary of the comment, the County believes that the policy provides a clear commitment as to the County's policy that will guide decision making and formulate programs. As further detailed in the draft Implementation Plan, there are numerous areas where implementation of this policy is achieved such as the County's Biological Mitigation Ordinance, Guidelines for Determining Significance for Biological Resources, Resource Protection Ordinance, and Conservation Subdivision Program.
- G5-57 As identified in the draft Implementation Plan, Policy COS-2.2, Habitat Protection Through Site Design, would be implemented by a number of mechanisms, including the County's Biological Mitigation Ordinance, Guidelines for Determining Significance for Biological Resources, Resource Protection Ordinance, and Conservation Subdivision Program.
- G5-58 As identified in the draft Implementation Plan, Policy LU-6.1, environmental Sustainability, would be implemented by a number of mechanisms, including the County's Biological Mitigation Ordinance, Guidelines for Determining Significance for Biological Resources, Resource Protection Ordinance, and Conservation Subdivision Program.
- G5-59 It was not the intent of this policy to require that the lowest of all designations possible be assigned to an area of sensitive resources. In that respect, the County recognizes that Policy LU-6.2 is confusing as written and will revise it to its previous wording, "assign low density or low intensity land use designations."
- G5-60 The County does not agree with the comment that the policy is unclear. The policy specifically identifies that mechanisms will be provided to allow reductions in lot size and to require preserved open space. Additionally, as a General Plan policy, the County believes that this is an appropriate level of detail. Further detail is provided in the Implementation Plan and even more detail is included in the draft Conservation Subdivision Program (CSP) documents that were made available for public review with the DEIR (refer to draft Implementation Plan measures 1.2.2.B Subdivision Ordinance, 1.2.2.C Countywide Design Guidelines, Project Review Procedures, 3.1.4.C Design Guidelines in Semi-Rural and Rural Lands, 5.1.2.D Conservation Subdivisions, 5.9.2.A Community Plans).
- In addition, the County also does not agree that the Community Plans are inconsistent with this policy, as explained further in responses to comments G5-75 through G5-77.
- G5-61 Implementation of Policy LU-6.4, Sustainable Subdivision Design, is detailed in the draft Implementation Plan, which lists a multitude of mechanisms for implementing this policy such as Community Plans, the Subdivision Ordinance, and Design Guidelines. It is likely that numerous other County policies and regulations will also be supportive of implementing this policy (refer to draft Implementation Plan



## Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)

measures 1.2.2.B Subdivision Ordinance, 2.1.1.A Project Review Procedures, 3.1.4.C Design Guidelines in Semi-Rural and Rural Lands, 5.9.2.A Community Plans).

The County also does not agree with the suggestion that the Community Plans undermine the effectiveness of the CSP as explained further in responses to comments G5-75 through G5-77.

G5-62 Implementation of Policy LU-6.6 is detailed in the draft Implementation Plan, which lists a multitude of mechanisms for implementing this policy such as Community Plans, the Subdivision Ordinance, Design Guidelines, and the County's project review process (refer to draft Implementation Plan measures 1.2.2.C Countywide Design Guidelines, 2.1.1.A Project Review Procedures, 3.1.4.C Design Guidelines in Semi-Rural and Rural Lands, 5.9.1.J Development Siting, 5.9.2.A Community Plans).

G5-63 Implementation of Policy LU-10.2 is detailed in the draft Implementation Plan, which lists a multitude of mechanisms for implementing this policy such as Community Plans, Design Guidelines, and the County's project review process (refer to draft Implementation Plan measures 1.2.2.C Countywide Design Guidelines, 1.2.2.D Community-Specific Design Guidelines, 2.1.1.A Project Review Procedures, 3.1.4.C Design Guidelines in Semi-Rural and Rural Lands, 5.9.2.A Community Plans).

G5-64 The County also does not agree with the suggestion that the Community Plans undermine the effectiveness of the CSP as explained further in responses to comments G5-75 through G5-77.

G5-65 Revisions to existing Habitat Conservation Plans are needed on an infrequent basis to ensure a cohesive system of open space. For example, major and minor amendments are sometimes proposed by the County to include new preserve areas or to include coverage for a species that was not originally covered by the Plan. In addition, minor revisions to the County's existing MSCP will be sought in conjunction with the North County and East County MSCP projects to ensure consistency.

Also, the County does not agree with the suggestion that this mitigation measure should include a commitment to complete the North and East County MSCPs. As discussed in the DEIR, completion of North and East County MSCPs require approval by the U.S. Fish and Wildlife Service and California Department of Fish and Game. While the County has already committed a significant investment in these projects and gone to great efforts to obtain concurrence by these agencies, their approval is partially outside of the County's control and cannot be guaranteed.

G5-66 As discussed in response to comment G5-45, the County does not agree that General Plan policies or mitigation should or are required to contain standards. In the case of mitigation measure Bio-1.3, successful implementation will be the execution of Board Policy I-123 conservation agreements. These agreements enable private property owners to contribute to the MSCP without having to undertake a development project. Allowing for them will assist with the successful implementation of the MSCP.

**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-67 Mitigation Measure Bio-1.4 consists of coordinating with other groups and agencies to acquire preserve land. Therefore, the County does not agree that this mitigation will "not preserve anything." The County does acknowledge that this measure alone does not provide certainty that those groups or agencies will preserve land; however, the County's coordination will improve the likelihood of that occurring. Additionally, this measure is merely one of multiple measures that will reduce impacts to biological resources.
- G5-68 The County does not agree with this comment. The application of CEQA to individual discretionary projects as they are processed by the County will reduce impacts to biological resources. CEQA contains specific qualitative standards for its implementation. Additionally, the County's Guidelines for Determining Significance provide substantial detail on how the criteria are used by the County in reviewing projects subject to CEQA, including determining impacts and requiring project-specific mitigation.
- G5-69 It appears that the comment is referring to the Biological Mitigation Ordinance (BMO) and Habitat Loss Permit (HLP) Ordinance. The Resource Protection Ordinance (RPO) is applicable to the entire County. With regard to the BMO and HLP Ordinance, the County acknowledges that these regulations are not applicable to the entire County and notes that these regulations are part of a more comprehensive set of policies and programs that are proposed to address biological impacts.
- G5-70 The ordinances listed in mitigation measure Bio-1.7 regulate development to reduce potential environmental impacts, many of which may have a direct or indirect effect on biological resources. The County Noise Ordinance regulates noise generation, which can reduce potential adverse effects on nearby wildlife. The County Groundwater Ordinance regulates useage of groundwater, thereby reducing potential drawdown that would otherwise impact groundwater-dependent habitat. The County's Landscaping Regulations limit the use of invasive plants and reduce excessive irrigation, the latter of which may otherwise cause flooding or introduce pollutants to native habitats. The County's Watershed Ordinance serves to minimize stormwater runoff, which can further reduce flooding or polluting of native habitats. As such, the implementation of these ordinances have been found to minimize potential edge effects caused by development.
- G5-71 The County disagrees with the commenter as explained in the preceding responses. The mitigation measures provided are appropriate for a General Plan and programmatic EIR. All specific comments made by the commenter have been responded to. The commenter has not identified other feasible mitigation measures that should be considered by the County and, therefore, the County has difficulty in further responding to this unsupported claim.
- G5-72 While the County agrees with the quoted text from the DEIR and CEQA Guidelines, it does not agree with the comment. CEQA Guidelines Section 15126.4(a)(5) state, "If the Lead Agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the Lead Agency's

**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- determination." The County believes that the DEIR adequately explains why the County cannot require that the Multiple Species Conservation Program (MSCP) be approved by other agencies and appropriately determines that such a commitment is not feasible.
- G5-73 The County agrees that it may act independently to protect the County's sensitive natural resources. The County has enacted numerous policies and regulations to this end, and proposes many more as part of the General Plan Update. However, the commenter seems to suggest that the County could adopt and implement a Multiple Species Conservation Program (MSCP) equivalent without agency participation and approval. The County does not agree with this suggestion. One reason is that successful implementation of the MSCP requires state and federal involvement and funding. Another is that a key benefit of an MSCP is that it pre-authorizes take of federal and state sensitive species. Without that benefit being achieved, the support of many stakeholders (mostly those representing property owner and developer interests) would be lost, thereby making such an effort improbable. The County does not agree that a temporary moratorium is mitigation under CEQA. A moratorium represents inaction or not undertaking the proposed project. While this is an avenue that is available to the County, it does not meet the CEQA standard for mitigation. Moreover, it would impede the County's ability to achieve the stated objectives of the project.
- G5-74 The County disagrees with the commenter as explained in the preceding responses. The mitigation measures provided are appropriate for a General Plan and programmatic EIR. All specific comments made by the commenter have been responded to. The commenter has not identified other feasible mitigation measures that should be considered by the County and, therefore, the County has difficulty in further responding to this unsupported claim.
- G5-75 The County does not agree with the comments. The CSP is not "canceled out" by the draft Community Plans. Some draft Community Plans contain goals and policies that will guide implementation of the CSP in order to respond to community-specific issues such as minimum lot size and groundwater resource issues. Providing for this tailored application of the CSP would not negate its benefits and is reasonable considering the extent of the County's jurisdiction and the diversity of the communities it contains. It is acknowledged that in some cases, limitation on the program provided in the Community Plans will not allow for the maximum benefit conceivable. For example, a Community Plan may limit reductions in lot size to 2 acres where reducing the lot size to 0.5 acres could further avoid direct impacts to some resources. However, the DEIR makes no representations that such guidance would not be allowed in Community Plans. In fact, in many draft General Plan policies, the need to conform to the Community Plan and response to community character is stated. Additionally, Mitigation Measures Bio 1.1 states, "any such allowances of flexibility must be done with consideration of community character through planning group coordination and/or findings required for project approval." Further, in the draft CSP document that was made available for public review with the DEIR, conformance with Community Plans is also highlighted. Further the DEIR does not rely solely on the CSP to mitigate impacts to any issue in the DEIR. It is

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- contained as part of a suite of mitigation measures that, when combined, will reduce the impacts to each issue. As a result, the County does not agree that the DEIR contains misleading information as suggested by the commenter.
- G5-76 The comment states that the draft Community Plans contain provisions that are inconsistent with the CSP. The County does not agree with the suggested inconsistency. As previously explained, some draft Community Plans contain goals and policies that will guide implementation of the CSP in order to respond to community-specific issues. The commenter has not identified specific inconsistencies and therefore further response to the unsupported claim is not possible. Similarly, the commenter provides no evidence to suggest that the CSP will not be capable of implementation. The CSP consists of specific revisions to the Subdivision Ordinance, Zoning Ordinance, Resource Protection Ordinance, and Groundwater Ordinance that are described in the draft program documentation. Adoption of these revisions will implement the program. It should be noted that, as proposed, conservation subdivisions would be allowed County-wide and would not be prohibited by community plans or community groups.
- G5-77 The County does not agree with the comment. The comment suggests that limitations on minimum lot sizes or limits to possible reductions to minimum lot sizes would make the CSP avoidance standards unattainable. This suggestion is not supported by evidence. Avoided resources must be accomplished through avoiding disturbance to an area and placing a restrictive easement over that area. The avoided area may be located on a portion of a buildable lot or on an entirely separate lot devoted to open space. For example, a 20 acre lot could contain a 15 acre open space easement that protects 75 percent of the lot and allows for 5 acres of buildable area. Therefore, a limitation on the lot size would not preclude the achievement of the avoidance standard.
- G5-78 The County does not agree with the comment. No evidence has been provided that the CSP cannot be implemented as described in the DEIR. Please also refer to responses to comments G5-76 above.
- G5-79 The County does not agree with the suggested inconsistency. The draft General Plan Safety Element states, "Because most of the unincorporated County is located within high or very high fire hazard severity zones, avoiding high threat areas is not possible." There is no requirement in the draft General Plan Safety Element to use the lowest density in very high fire risk areas.
- G5-80 In the majority of cases where differences between the proposed project and Draft Land Use Map Alternative occur in high fire hazard areas, the proposed project designations are RL-20 or RL-40 while the Draft Land Use Map contains RL-40 and RL-80 designations, respectively. For most of these lands, the proposed project designations are significant decreases in density compared to the existing General Plan and the densities that past projects in these areas have been developed under. Therefore, under either scenario, the General Plan Update will represent a substantial change to future development capacity in these areas. The Board of Supervisors has the discretion to determine what level of change appropriately

**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

minimizes development in these areas and fulfills the policies of the draft General Plan.

G5-81 The County does not agree with the comment. The comment states that a General Plan policy is "to avoid density increases in fire prone areas." There is no policy in the draft General Plan that contains this statement. In addition, the comment seems to be suggesting that the proposed project increases density because it contains higher densities than the Draft Land Use Map Alternative. This is an improper comparison because the Draft Land Use Map is an alternative to the proposed project and should not be used as a baseline to determine density increases or decreases. In fact, as explained above, in most cases in very high fire risk areas the proposed project will result in decreased density when compared to the existing General Plan.

G5-82 This comment seems to suggest that the CSP in its entirety is a part of the draft General Plan. This is not correct. While the draft General Plan includes policies that generally require such a program for implementation, the specifics of that program are left out of the General Plan. In fact, in most cases in the draft General Plan, it is recognized that the flexibility allowed in subdivision design that would be accomplished by such a program must be in balance with the communities and their community plan. While it is not a part of the General Plan, it is nonetheless consistent with the proposed General Plan, including the Community Plans. Further, as explained in response to comment G5-77, the commenter has not provided evidence that the policies of the draft Community Plans preclude implementation of the CSP. Lastly, because the CSP is an implementing program consisting of ordinances, it is appropriately described as subordinate to the General Plan and Community Plans.

G5-83 The County does not agree with comment. The County's estimated impacts are based on empirical data and substantial evidence. In determining that 1.5 acres of impacts to existing agriculture may potentially result for each new lot that is created, the County conducted a review of several past subdivisions of agriculture in the unincorporated area. For each of these subdivisions, the County estimated the pre-subdivision extent of agriculture, and then calculated the approximate amount of agriculture lost after the subdivision occurred. Impacts that resulted directly from the construction of the new home (direct impacts), as well as agriculture removed over time (indirect impacts), were calculated. In general, it was observed that the combined impacts ranged from 0.75-1.25 acres of impacts per lot. To account for possible future loss to the agriculture on site, an impact of 1.5 acres was used to estimate possible impacts to agriculture. The commenter provides no supporting evidence that this methodology is flawed. See also response to comment X20-26.

The comment also suggests that the DEIR must evaluate impacts to commercial agriculture. The County does not agree as this is not a requirement of CEQA. As described in the DEIR, Section 2.2.3.1, impacts are evaluated based on the conversion of existing agricultural resources to a non-agricultural use; or a substantial impairment to the ongoing viability of an agricultural resource. Impacts to commercial agricultural would be an economic impact, which does not require



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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

analysis under CEQA. However, the County notes that based on records maintained by the Department of Agriculture, Weights, and Measures; there are numerous existing commercial agricultural operations on lots ranging from two to four acres in size.

- G5-84 The County does not agree that the General Plan Update would add “approximately a quarter million people to the County population.” The projected population increase that would be accommodated by the General Plan Update is 186,506 persons. However, the County agrees that the project would result in a greater demand for water supply when compared to existing conditions. Section 2.2.3.3, Issue 3: Indirect Conversion of Agricultural Resources addresses the indirect impacts to agricultural resources resulting from the proposed project due to the "competition for water" and other indirect impacts. To further clarify the issue, additional discussion has been added to this section of the DEIR, along with a cross-reference to Section 2.16.3.4, Issue 4: Adequate Water Supplies.
- G5-85 As discussed in response to comment G5-75, the County does not agree with the commenter's suggested conflicts between the draft Community Plans and Conservation Subdivision Program.
- G5-86 The County does not agree with this comment. The issue of water availability is addressed in Section 2.16.3.4, Issue 4: Adequate Water Supplies, of the DEIR. The DEIR provides projected population and housing growth by water district. The amount of water the project would use would be based on a variety of factors such as local climate, rainfall levels, residence characteristics and other factors. In 2008, average per capita use was 178 gallons per day. The DEIR also describes the existing and planned sources of water to support the project. These are detailed in the plans of the serving water districts, County Water Authority, and Metropolitan Water District which are summarized and referred to in the DEIR. The DEIR recognizes that these plans may not provide sufficient water for the future and indicates that conservation, reuse, and desalinization are the sources that the County Water Authority has indicated will serve an expanded role in the future. The DEIR also evaluates the environmental impacts of these sources, as well as the ones in current plans. To accomplish this, the DEIR incorporates by reference the County Water Authority's Regional Water Facilities Master Plan EIR.
- G5-87 This comment misinterprets the DEIR's statement. The DEIR does not state that development should occur if water is not available. It states that if the General Plan Update growth capacity were to be reduced to match only identified water supplies that this would be a substantial reduction in growth capacity and would not fulfill its growth objective.
- G5-88 This comment seems to suggest an inconsistency in the DEIR because there is no current water supply planning document that accounts for the growth planned by the project. However, this is an inaccurate statement because the County Water Authority's current water supply planning documents were based on SANDAG forecasts that used draft maps from the General Plan Update. There is also no connection between the relationship of a County Water Authority plan and an

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

inconsistency within a County document. Additionally, SANDAG and the County Water Authority in developing their planning documents first refer to the adopted plans of the local jurisdiction as they are the ones with land use authority. The County Water Authority does not plan for water supply in advance of the growth being planned for by a jurisdiction. Therefore, the suggestion of a water supply plan preceding the land use plan is not possible unless the County Water Authority chooses to change its planning process.

G5-89 The County does not agree that analysis of future water supply has been deferred. As explained in response to comment G5-86, the DEIR contains an evaluation of water availability. References to SB 610 and 221 in the DEIR are for the purposes of describing the applicable regulatory framework.

G5-90 The comment suggests that "development at a planning level" should be paced with water availability. As discussed under response to comment G5-88, the County must plan for growth in order for the County Water Authority to plan for the water supply. Therefore, it is not possible to pace the two at a "planning level." However, it should also be noted that the County does pace development according to water availability. As described in DEIR Section 2.16.2.3, Board Policy requires that any discretionary project obtain a certification of water availability from the serving water district. Further, prior to construction a commitment to serve letter from the district must also be provided. Board Policy, as well as the draft General Plan policies, require this document in order for a project to be approved. Therefore, a moratorium, as suggested by the commenter is not necessary as the same result is already provided for with the current process.

G5-91 While not mentioned in the text of the DEIR, it is important to note that theoretical maximum build out of the proposed project (Referral Map alternative) would result in only about 40 percent of the growth potential under maximum buildout of the current General Plan within the eleven named potentially impacted basins within the General Plan Update Groundwater Study. Therefore, the proposed project is not increasing densities in these basins. Rather, it is substantially reducing densities in each of the eleven basins in comparison to the current General Plan. Additionally, and as added as clarification language to DEIR Section 2.8.3.2, due to the sheer size and complexity of the 1,885 square mile study area, the long-term groundwater availability results presented (being based on a limited amount of readily available information) a conservative approach in the study to bias any potential errors towards overestimation of potential impacts.

Due to the nature of fractured rock aquifers, impacts to these basins would likely be limited to localized areas of higher groundwater use and do not necessarily extend basin-wide into areas with adequately spaced groundwater users. Large quantity/clustered groundwater users identified within these eleven basins are areas where localized groundwater impacts are most likely to occur. Site-specific groundwater investigations will be necessary for future groundwater-dependent projects in these potentially impacted basins to provide specific details of the significance of groundwater impacts that cannot be provided at the screening level scale in which this groundwater study was conducted. With implementation of the

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

General Plan Update project, future discretionary permits within the eleven basins would be required to conduct groundwater investigations before increased density would be approved, which is consistent with proposed Policy LU-8.1. Therefore, through the discretionary permit process, the County is not allowing additional growth in areas with inadequate groundwater supply. Rather, the DEIR has conservatively identified areas that have potentially significant impacts to groundwater resources which are now flagged for close scrutiny in future groundwater investigations for any discretionary permits dependent on groundwater resources in these basins.

- G5-92 For clarification purposes, the County has revised DEIR Section 2.8.6.2 to include the following language regarding the infeasibility of the County imposing a moratorium in areas where potentially significant groundwater impacts are possible:

"...due to the size and complexity of the groundwater dependent portion of the County, it is not possible to specifically identify at a parcel-by-parcel scale where significant impacts to groundwater resources would occur. Site-specific groundwater investigations are necessary to provide details of impacts that cannot be provided at the scale in which the General Plan Update Groundwater Study was conducted. Therefore, there is not enough technical evidence in which to impose a moratorium".

Additionally, the Groundwater Ordinance and County Guidelines for Determining Significance - Groundwater Resources would be applied to future discretionary permits within potentially impacted areas identified within the General Plan Update Groundwater Study. Therefore, through these regulations, groundwater investigations would identify localized significant impacts to groundwater resources. The County would then have the ability to deny projects with inadequate groundwater supply within these basins based on site-specific evidence which is not possible to ascertain at the planning scale of the General Plan Update Groundwater Study.

- G5-93 Alternatives to the proposed project are analyzed within the DEIR and made available to the decision makers. No particular alternative is recommended at the Draft EIR stage of the process. It should also be noted that with the exception of the Lyon Basin, utilizing the Draft Land Use Map alternative or even the Environmentally Superior Map alternative within the eleven potentially impacted basins (identified within the General Plan Update Groundwater Study) would not reduce impacts to a level of less than significant. Therefore, a finding of overriding considerations would still be necessary for the project.

- G5-94 Coastal sage scrub and animal communities that depend on them will be unaffected by the project's utilization of groundwater resources since sage are not considered to be a phreatophyte but are adaptive to rainfall alone. The County's approach to evaluating impacts to riparian habitat is discussed in greater detail within the Guidelines for Determining Significance: Biological Resources, which may be accessed at [http://www.sdcountry.ca.gov/dplu/docs/Biological\\_Guidelines.pdf](http://www.sdcountry.ca.gov/dplu/docs/Biological_Guidelines.pdf). As explained in these Guidelines, impacts may be significant if the project would draw down the groundwater table to the detriment of groundwater-dependent habitat,

**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

typically a drop of 3 feet or more from historical low groundwater levels. This determination is substantiated in the guidelines as follows:

“Studies have found that groundwater reductions adversely affect native plant species. Two of the referenced studies (Integrated Urban Forestry, 2001 and Committee on Riparian Zone Functioning and Strategies for Management et al., 2002) found that permanent reduction in groundwater elevation levels of greater than three feet is enough to induce water stress in some riparian trees, particularly willow (*Salix spp.*), cottonwood (*Populus spp.*) and *Baccharis* species.”

The DEIR further finds in Section 2.8 that the project would have significant and unavoidable impacts to groundwater supply. Therefore, it is reasonable to conclude that the project would have significant impacts to riparian habitat. As such, this impact was discussed under the subheading “Indirect Impacts” in DEIR Section 2.4.3.2, Issue 2: Riparian Habitat and Other Sensitive Natural Communities. The DEIR concluded that the project would have significant direct and indirect impacts on riparian habitat and other sensitive natural communities. However, it should be noted that groundwater drawdown was not the only factor in determining the significance of potential impacts to riparian habitat.

- G5-95 The effect that increased pumping will have on contaminant concentrations and movement of the groundwater table reflects a site-specific phenomenon which is not possible to explore at the scale of this project. The General Plan Groundwater Study and DEIR did identify regional areas where existing water quality impacts are known to be occurring, and further identified that placing development in these areas may result in potentially significant impacts. The DEIR further identified that nitrate impacts could increase, especially in areas of dense development on septic systems. Site-specific groundwater investigations will be required for future groundwater dependent developments to evaluate whether a long-term potable groundwater supply would be available for each project.
- G5-96 This comment contains general statements with no specific reference to the content of the DEIR. It appears to be a comment intended for another EIR because the DEIR is consistent with the majority of what is contained in this comment (with the exception of the suggested inadequacies of the DEIR). The DEIR addresses the current drought in DEIR Section 2.16.1.1 Potable Water Supply and Distribution under the Imported Water Supply Issues heading and considers it further in Section 2.16.3.4, Issue 4: Adequate Water Supplies, where water supply impacts are addressed. The DEIR discusses the likelihood of future water supplies and indicates that water supplies may not be adequate for the project. The DEIR also concludes that the project may have a direct and cumulative significant impact on water supplies. Therefore, the suggestion that “paper water” is relied upon in the DEIR is inaccurate. Rather the DEIR acknowledges that existing water contracts may not be sufficient and that increased reliance on conservation, local supplies, desalinization, water recycling, and other supplies will be necessary to satisfy future water needs.
- G5-97 The County disagrees with this comment, which incorrectly suggests that the DEIR ignores the impact of locating development adjacent to interstate corridors. The

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

General Plan Update does not propose the placement of residential development immediately adjacent to freeways and high traffic roads. DEIR Table 2.3-13, California Air Resources Board (CARB) Recommendations on Siting New Sensitive Land Uses, specifically identifies the following policy taken from CARB's Air Quality and Land Use Handbook: A Community Health Perspective (CARB 2005):

"Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day."

In addition, DEIR mitigation measure Air-4.1 requires the following: Use the policies set forth in the CARB's Land Use and Air Quality Handbook (CARB 2005) as a guideline for siting sensitive land uses. Implementation of this measure will ensure that sensitive land uses such as residences, schools, day care centers, playgrounds, and medical facilities are sited appropriately to minimize exposure to emissions of TACs. The policies set forth in the CARB Land Use and Air Quality Handbook (CARB 2005) are identified in DEIR Table 2.3-13.

Therefore, the DEIR is consistent with CARB's policies for siting sensitive land uses and does not ignore the potential impact of locating sensitive land uses adjacent to interstate corridors.

G5-98 The County disagrees with this comment, which incorrectly suggests that the DEIR ignores the impact of locating development adjacent to interstate corridors. The DEIR addresses the issue of placing sensitive receptors near freeways and high traffic roads in Table 2.3-13, CARB Recommendations on Siting New Sensitive Land Uses. The DEIR identifies that the General Plan Update would result in a potentially significant impact to sensitive receptors and recommends implementation of mitigation measure Air-4.1, which requires implementation of the CARB's Land Use and Air Quality Handbook (CARB 2005) as a guideline for siting sensitive land uses. Therefore, the DEIR both addresses this issue and provides mitigation to reduce impacts. Please also see response to comment G5-97 above.

G5-99 The County disagrees that the GHG analysis in the DEIR is inadequate. For the most part, the County agrees with the content of this comment. It acknowledges its role in reducing GHG emissions and has evaluated GHG emissions for the proposed project and addressed those emissions with proposed policies and measures. The comment somewhat incorrectly states that the DEIR must demonstrate that new construction would result in a 30 percent reduction in business-as-usual emissions by 2020. The Scoping Plan explains the 30 percent a bit clearer on page ES-1 of the plan: "Reducing greenhouse gas emissions to 1990 levels means cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 15 percent from today's levels." This is a general statement made in the Scoping Plan for the emissions from the entire state. The reality is that in order to achieve 1990 levels by 2020, some emitters will need to make cuts greater than 30 percent if their business-as-usual emission were projected to increase by more, and others would be less if they were projected to increase by less. Some jurisdictions have chosen to simply apply this 30 percent average, or the 15 percent from today's levels. However, the AB 32 does not mention these percentages. The County as



**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

lead agency has the discretion to determine the thresholds of significance for global climate change impacts. The County did not simply apply these average percentages but instead conducted analysis based on the AB 32 standard of achieving 1990 emission levels by 2020. As a result, it determined that reducing greenhouse gas emissions to 1990 levels means cutting approximately 33 and 36 percent from business-as-usual emission levels projected for 2020, or about 17 and 9 percent from today's levels for government and community respectively. The guidelines for determining significance are provided in DEIR Sections 2.17.3.1 and 2.17.3.2. Please also refer to response to comment O1-20.

G5-100 The County disagrees that the DEIR must demonstrate that the proposed new development will not impede the long-range goal of reducing greenhouse gas (GHG) emissions 80 percent below 1990 levels by the year 2050. Executive Order S-3-05 issued by the California Governor specifies that reducing emissions 80 percent below 1990 levels by 2050 is a target for California. The Executive Order does not set this as a standard or provide further guidance for implementation of this target. This is in stark contrast to the target of 1990 levels by 2020 which was specifically adopted as a statewide emissions standard by AB 32, which correspondingly mandates for programs to comply with the standard. Please also refer to response to comment O1-20.

G5-101 As noted in response to comment G5-24, the required findings for project approval, including determinations regarding feasibility, overriding considerations, and fulfillment of project objectives, will be made during the final Board of Supervisors' hearing process. As such, the County cannot confirm or dispute the claims made in this comment at the present time.

The County has utilized the list of mitigation measures provided by the California Attorney General's office. Please also refer to response to comment S1-27.

G5-102 The County does not agree with this comment. The comment provides no specific reference to the DEIR contents or any detail on a suggested impact that would result from the proposed project. Emergency access is addressed in DEIR Section 2.15.3.4, Issue 4: Emergency Access and Seismic Related Hazards are addressed in DEIR Section 2.6.3.1, Issue 1: Exposure to Seismic Related Hazards. The DEIR does not specifically address the scenario of access problems that may occur after an earthquake and it is not clear by the comment why the proposed project would have a direct relationship to this. Access issues that could result from an earthquake include structural and utility line collapse onto roads, ground rupture, landslides, and fire. It is not possible to predict where these events would occur and the proposed project is not expected to significantly increase the likelihood of these events occurring and impacting access routes. It should also be noted that it would take a significant seismic event to result in one of these instances. Although the project area is seismically active, significant events are rare and unpredictable. Even with a significant seismic event, it is not a foregone conclusion that a significant access issue will occur. As a result, CEQA does not require further evaluation.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-103 The DEIR addresses earthquakes in Section 2.6.3.1 and wildfire hazards in 2.7.6.8. It is not clear how the proposed project would result in impacts related to "the potential for an earthquake-induced electrical failure that would trigger a failure of the water system, potentially compounding earthquake-induced fire hazards." The proposed project does not involve the placement of electrical systems and would not increase the likelihood of earthquakes in the proximity of electrical systems. The concern also involves a "chain-of-events" that are possible but do not necessarily have a high probability of occurrence. Earthquakes occur frequently in the project area but are seldom of a magnitude that would result in electrical failure. Similarly, fires occurring as a result of an earthquake or immediately following a significant earthquake are infrequent. Depending on the type of electrical failure, impacts to the water system would vary and will not necessarily occur. Some water systems are off the grid or have back up power and would be unaffected. Others have storage tanks that can provide supplies of the short term by gravity and, therefore, would only be affected by long outages. Additionally, some firefighting is undertaken by water tenders, by aerial support, and by ground crews which would not be affected. CEQA also does not require analysis of speculative impacts. Therefore, the County does not agree that this is an inadequacy of the DEIR.
- G5-104 The County disagrees with this comment. The dangers from seismic events are already adequately documented in DEIR Section 2.6.1.3 Issue 1: Exposure to Seismic-Related Hazards. The DEIR identified that 410,000 people have the potential to be exposed to earthquake hazards in the urbanized areas of the County, while 33,000 people have the potential to be exposed to this hazard in the rural areas. The DEIR further discusses that the California Building Code (CBC) defines different Seismic Design Categories based on building occupancy type and the severity of the probable earthquake ground motion at the site. The Seismic Design Categories in San Diego County are based on all regional faults, including the San Andreas Fault.
- G5-105 This comment appears to contain some typos. It is believed that the first sentence should read, "The DEIR acknowledges the significance of the Project's impacts on the fire districts' ability to provide emergency fire service...". The County does not agree with the comment overall. DEIR Section 2.13.3.1 analyzed the significance of physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Mitigation measures provided in DEIR Section 2.13.6.1 would mitigate the potential physical impacts to below a level of significance. However, the focus of the comment appears to be on determining the feasibility of the Draft Land Use Map. This is a decision that will be made by the Board of Supervisors.
- G5-106 Travel time is the County's adopted and proposed standard for evaluating fire response. The County disagrees with the suggestion that travel time is an inappropriate standard and there is no requirement in CEQA that a different standard be used. CEQA also does not require that the other listed factors "critical to service adequacy" be addressed. With regard to fire service, CEQA Guidelines focus the

## Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)

analysis to new or altered facilities that are necessary in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Note that the DEIR also addresses exposure to wildland fires in Section 2.7.3.8 Issue 8: Wildland Fires.

Although "Response Time" may be a more accurate measurement there are currently no documented or published standards for response time. Furthermore, there is no agreement in the fire community on what the appropriate response time should be; suggested response times fluctuate not only between districts, but also between fire stations. Travel Time requirements have been in place for a number of years and there are national standards available to estimate the time (NFPA 1142 Table C.1.11(b)). Until standards are developed and agreed upon by the fire community, the County must continue to rely on the travel time measurement. The text below has been added to draft Safety Element Policy S-6.4 to better explain the rationale for using travel time over response time.

"Travel time is based on standards published by the National Fire Protection Association. Travel time does not represent total response time, which is calculated by adding the travel time to the call processing time and to the turnout/reflex time. Generally, the call processing and turnout/reflex time would add between two to three minutes to the travel time. It is not known if any county has formally adopted NFPA 1710 and/or 1720 as a standard. Total Response Time (NFPA 1710/1720) is calculated as time the Public Safety Answering Point (PSAP) receives the emergency call, transfers it to fire communications, the alarm is processed and transmitted to responders, responders "turnout", plus travel time to the scene to initiate action. The use of response time for determining adequate service is problematic in the unincorporated County because it is subjective and varies from department to department, station to station and work shift to work shift. Reflex time (the amount of time from when the call is received by the station to when the engine leaves the station) can vary from one to three minutes. The use of travel time, as calculated by using NFPA 1142, allows us to be consistent across the County in determining adequate response, regardless of the district."

- G5-107 The comment disagrees with the DEIR determination that a measure is infeasible, which will ultimately be determined by the Board of Supervisors. No errors or omissions are suggested so further response is not required.
- G5-108 The County does not agree with this comment. Any change in density would require a subsequent general plan amendment. It is extremely speculative to predict the outcome of future general plan amendments and therefore beyond the scope of CEQA.
- G5-109 The County does not agree with this comment. While the pending project may be evaluated according to the "old rules" (the existing general plan), any future project or general plan amendment would be evaluated under the General Plan Update.
- G5-110 As indicated in responses to comments G5-108 and G5-109, the County does not agree that this analysis is necessary.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-111 This comment does not raise a significant environmental issue for which a response is required. It should be noted that Government Code 65583(a)(3) states that the housing element must contain "An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites." State law does not require that this inventory identify all sites necessary to satisfy the jurisdiction's regional housing needs allocation. In the event that the inventory does not include adequate sites, Government Code 65583(c)(1) outlines what a jurisdiction must do to comply with State law such as identifying programs to make the sites available.
- G5-112 This comment does not raise a significant environmental issue for which a response is required.
- G5-113 Please refer to the preceding responses relating to these issues.
- G5-114 These are attachments referenced in the comment letter and do not require a response.
- G5-115 This comment is introductory in nature and does not raise a significant environmental issue for which a response is required.
- G5-116 The County disagrees that community plans are "outmoded" and are used at the expense of more progressive planning features. Community plans contain goals and policies that will guide implementation of General Plan goals and policies in order to respond to community-specific issues. Providing for this tailored application of the General Plan policies does not, in itself, result in rural residential sprawl. Rather, it is an approach to reasonably consider the extent of the County's jurisdictions and the diversity of the communities it contains.
- G5-117 The County appreciates this comment. Pursuant to this comment, Policy LU-6.3, Conservation-Oriented Project Design, has been added to draft General Plan Chapter 1 Introduction as a policy that will reduce greenhouse gas emissions.
- G5-118 The County appreciates the comment. Per the recommendation, the fourth sentence of the "What We Plan To Be" section of the General Plan Update Vision (Chapter 2 Vision and Guiding Principles) has been changed to replace "remain" with "grow in compact land development patterns".
- G5-119 The County appreciates the comment, but does not agree that the use of "continue to" is inappropriate in this situation. The draft General Plan Vision is written in future tense; therefore, the vision would be to continue the practices of the General Plan Update, rather than existing conditions
- G5-120 The County has corrected the typo in the Vision and Guiding Principles section pursuant to this comment.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-121 The County disagrees that the Community Development Model graphic under Guiding Principle 2 and the text of the second graphic are intended to show "good planning". These graphics and accompanying text are intended to represent a reasonable, realistic, and achievable pattern of development for unincorporated San Diego County.
- G5-122 The County acknowledges this comment regarding of the language regarding the relationship of parcel sizes to resource protection and appreciates the support.
- G5-123 The County concurs and has made the recommended edit to Table LU-2.
- G5-124 The County appreciates this comment, but does not agree that changes within Regional Categories should require a comprehensive General Plan Amendment. Limiting the flexibility of the Board of Supervisors, beyond the policies proposed in the Draft General Plan, is not consistent with seeking consensus among the various stakeholders. In addition, the County does not concur with substantive changes to the Land Use Element goals and policies this late in the planning process. These goals and policies were vetted with the General Plan Update Steering Committee and any changes to the content would not be consistent with the consensus that came out of this advisory group. Therefore, no changes have been made to draft General Plan Goal LU-1 Primacy of the Land Use Element and LU-1.2 Regional Categories Map Amendments as a result of this comment.
- G5-125 The County disagrees that a County-initiated comprehensive General Plan update is necessary for the expansion of a village given the other criteria that must be met for such an amendment. In addition, as discussed in response to comment G5-124 above, the goals and policies in the draft Land Use Element were vetted with the General Plan Update Steering Committee and any changes to the content would not be consistent with the consensus which came out of this advisory group.
- G5-126 The County disagrees that including "support...when appropriate" would allow the Conservation Subdivision to be trumped by Community Plans. However, the County recognizes that Conservation Subdivisions are not always the appropriate form of development, especially when not needed to protect sensitive resources. See also response to comment G5-124 concerning changes to Land Use Element policies.
- G5-127 The County does not agree with this comment. Please refer to response to comment G5-124 concerning changes to Land Use Element policies.
- G5-128 Land Use Element Policy LU-6.10, Protection from Wildfires and Unmitigable Hazards, has been amended with the addition of "extreme" to make it more consistent with the Safety Element terms for fire threat areas, as recommended.
- G5-129 The County appreciates the comment, but disagrees that draft General Plan Policy LU-7.2, Parcel Size Reductions as Incentive for Agriculture, should be revised. The intent of this policy is to allow lot size reductions in areas where agriculture is currently in existence and has also been in existence for a number of years.



## Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)

Therefore, the addition of "or" between "existing" and historically" would not be consistent with this intent.

- G5-130 The County agrees with removing "except in the Borrego Valley" from the draft policy. It should also be noted that draft Policy LU-8.3 has been further revised as follows:

**"LU-8.3 Groundwater-Dependent Habitat.** ~~Prohibit~~ Discourage development that would significantly draw down the groundwater table to the detriment of groundwater-dependent habitat, ~~except in the Borrego Valley.~~"

The rationale for this change is that almost all habitat in the County is dependant on groundwater, and the policy as previously written was too restrictive.

- G5-131 The County does not agree with this comment. Please refer to responses to comments G5-116 and G5-124 above concerning community plans and changes to Land Use Element policies.
- G5-132 The County appreciates the comments and has changed draft General Plan Policy LU-9.3, Village and Community Core Guidelines and Regulations, by replacing "respects and enhances" with "be compatible with" to reflect the language initially supported by the Steering Committee.
- G5-133 The County acknowledges this comment and appreciates the support.
- G5-134 The County does not agree with this comment. Please refer to response to comment G5-124 concerning changes to Land Use Element policies.
- G5-135 The County acknowledges this comment and appreciates the support. The typo in Policy M-4.5, Context Sensitive Road Design, has been corrected.
- G5-136 The County acknowledges this comment and appreciates the support.
- G5-137 The County disagrees that the Multiple Species Conservation Program (MCSP) should be incorporated into draft General Plan Policy COS-1.1, Coordinated Preserve System. The General Plan provides overarching policies, some of which are implemented by the MSCP. Yet, as a Habitat Conservation Plan, the MSCP remains a separate program.
- G5-138 The County disagrees that the additional text recommended for draft General Plan Policy COS-14.1, Land Use Development Form, is necessary since the policy already addresses using compact development patterns.
- G5-139 The County appreciates and agrees with this comment. The typo identified by the commenter has been corrected.
- G5-140 The County appreciates and agrees with this comment. The typo identified by the commenter has been corrected.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-141 The County has revised draft General Plan Policy H-1.3, Housing Near Public Services, by replacing "encourage the development of" with "maximize", as recommended.

The County disagrees with the proposed revisions to Policy H-1.2, Development Intensity Relative to Permitted Density, because the intent is to allow for developers to determine the most appropriate way to develop their site. In addition, the County is trying to avoid mandating development intensity where it may not be feasible

- G5-142 The County disagrees with the proposed changes to draft General Plan Policy H-1.8 Variety of Lot Sizes in Large-Scale Residential Developments. The proposed revisions change the intent of the policy from "large-scale" to "rural residential" projects where a variety of lot sizes may not always be appropriate.

- G5-143 The County acknowledges the support for draft General Plan Policy H-5.4, Flexibility in Regulations.

- G5-144 The County appreciates the support for the textual revisions to the Fire Hazards Context section.

The County does not agree with the recommendation to use response time rather than travel time. There are currently no documented or published standards for response time. In addition, there is no agreement in the fire community on what appropriate response times should be. Suggested response times fluctuate not only among districts but also among fire stations. Travel time requirements have been in place for a number of years and there are national standards available to estimate the time (NFPA 1142 Table C.1.11(b)). Until alternative standards are developed and agreed upon by the fire community, the County must continue use travel time measurements. Text was added to Policy S-6.4 in response to comments on previous drafts of the Safety Element that acknowledge that reflex time is not included. Please also refer to response to comment G5-106 above.

- G5-145 The County appreciates and agrees with this comment. The typo identified by the commenter has been corrected.

- G5-146 The County appreciates the comment, but contends that it is unnecessary to add a policy that specifically addresses avoiding development in "high fire hazard zones" as this issue was addressed globally in draft General Plan Policy, S-1.1 Minimize Exposure to Hazards. Please also refer to response to comment G5-79 above.

- G5-147 The County appreciates the support for revisions made to Policies S-3.5 Access Roads; S-3.7 Fire Resistant Construction; S-4.1 Fuel Management Programs; and S-4.2 Coordination to Minimize Fuel Management Impacts.

- G5-148 The County does not agree with this comment. Please see responses to comments G5-106 and G5-144 above regarding travel time and response time. In addition, issues regarding adequate services should be directed to the Fire Authority Having Jurisdiction (FAHJ) for a given area.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-149 The County disagrees that draft General Plan Policy S-6.5, Concurrency of Fire Protection Services, is internally inconsistent. While the intent of this policy is to allow incremental growth unless sufficient development is available to fund a new facility, the incremental growth would still be required to meet the travel time requirements of Policy S-6.4, Adequate Fire and Medical Services.
- G5-150 The County acknowledges this comment and appreciates the support.
- G5-151 The County acknowledges the concerns raised that off-highway vehicles are not specifically addressed as a policy in the draft General Plan; however, off-highway vehicles are addressed in many draft community plans. In addition, Policy N-6.1, Noise Regulations, requires codes and ordinances that regulate impacts from disruptive noise sources, such as off-highway vehicles. In November 2008, the County Noise Ordinance was revised to specifically address issues concerning off-highway vehicles.
- G5-152 The County acknowledges the commenter's support for the Environmentally Superior Map alternative in regards to replacing the existing Specific Plan Area designation in Warner Springs outside the approved Warner Springs Specific Plan boundary with a land use designation consistent with surrounding properties. The County Board of Supervisors has the approval authority to determine which alternative to implement. The information in this comment will be in the final documents for review and consideration by the Board.
- G5-153 The County acknowledges the commenter's support for the Environmentally Superior Map alternative in regards to replacing the existing Specific Plan Area designation in Jacumba with a land use designation consistent with surrounding properties. The County Board of Supervisors has the approval authority to determine which alternative to implement. The information in this comment will be in the final documents for review and consideration by the Board.
- G5-154 The County acknowledges the commenter's support for the Environmentally Superior Map alternative to reduce intensities in Elfin Forest to correspond to physical and biological constraints. The County Board of Supervisors has the approval authority to determine which alternative to implement. The information in this comment will be in the final documents for review and consideration by the Board.
- G5-155 While the County does not agree that the community plans will hinder the effectiveness of the CSP, the County continues to make refinements to these draft plans and appreciates the recommendations in this comment and the comments/tables that follow it.
- G5-156 The County appreciates the detailed review and recommendations presented in this comment. It should be noted that County staff also met with the Endangered Habitats League since receipt of this comment to consider and thoroughly discuss these issues. The community plans that have been identified by the commenter as having issues regarding minimum lot sizes will require additional coordination with the corresponding community planning and sponsor groups. The County continues

## Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)

- to work with the applicable communities to assign appropriate minimum lot sizes that will not only protect the community character of the individual communities but will also balance and minimize impacts to the surrounding environment. Revisions to draft community and subregional plans will be made available for review by the public prior to approval hearings on the project.
- G5-157 The County appreciates the comments regarding the Planning Group recommended lot size restrictions. The County will further coordinate with the community planning and sponsor groups to assign appropriate minimum lot sizes that will not only protect the community character of the individual communities but will also balance and minimize impacts to the surrounding environment. Revisions to draft community and subregional plans will be made available for review by the public prior to approval hearings on the project.
- G5-158 The County concurs with the comments regarding the Boulevard Community Plan and proposes to revise the lot size restrictions. Disagreements between the County and the Boulevard Planning Group still exist regarding minimum lot sizes. As such, additional coordination is required in order to assign appropriate minimum lot sizes. Revisions to the Boulevard chapter of the draft Mountain Empire Subregional Plan will be made available prior to approval hearings.
- G5-159 The County appreciates this comment but does not agree that the policies in the community plans perpetuate existing land use patterns. See also responses to comments G3-29, G3-32, G5-75, G5-76, and G5-77. With regard to the cited Julian Community Plan text, the County finds that the stated characteristics would be appropriate for agriculturally-zoned lands.
- G5-160 With regard to the cited Rainbow Community Plan text, the County agrees that some of the specific policy language may be too stringent. As such, Policy LU2.2.4 was removed entirely and the following changes were made to Policy LU1.1.4 in the Ramona Community Plan:
- Policy LU1.1.4** Maintain the existing rural lifestyle by ~~continuing the existing pattern of residential~~ ensuring that new development is consistent with the rural community character and agricultural uses located within the Rainbow CPA.
- G5-161 The County appreciates this comment but does not agree that the policies in the community plans perpetuate existing land use patterns. See also responses to comments G3-29, G3-32, G5-75, G5-76, and G5-77.
- G5-162 The County does not agree with this comment. The draft Bonsall Community Plan supports conservation subdivisions within its policies.
- G5-163 The County does not agree with this comment. The commenter does not state which policies within the draft San Dieguito Community Plan are restrictive; therefore, no further response is provided.

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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-164 The County concurs that changes to the draft Ramona Community Plan are needed to further support the CSP. As such, additional coordination with the planning group is required. Revisions to the Ramona Community Plan will be made available prior to approval hearings
- G5-165 The County does not agree that the draft North Mountain Subregional Plan prohibits conservation subdivisions. However, the County agrees that additional revisions may be needed during the comprehensive update of this plan.
- G5-166 Disagreements between the County and the Potrero Planning Group still exist regarding conservation subdivisions and parcel sizes. As such, additional coordination is required. Revisions to the Potrero chapter of the draft Mountain Empire Subregional Plan will be made available prior to approval hearings.
- G5-167 Disagreements between the County and the Boulevard Planning Group still exist regarding minimum lot sizes. As such, additional coordination is required. Revisions to the Boulevard chapter of the draft Mountain Empire Subregional Plan will be made available prior to approval hearings.
- G5-168 The County does not agree that the draft Jamul/Dulzura Subregional Plan renders the CSP as ineffective. However, the County agrees that additional revisions may be needed during the comprehensive update of this plan.
- G5-169 The County does not agree that the draft Central Mountain Subregional Plan virtually prohibits conservation subdivisions. However, the County agrees that additional revisions may be needed during the comprehensive update of this plan.
- G5-170 The County does not agree that the draft Alpine Community Plan renders the CSP as ineffective. However, the County agrees that additional revisions may be needed during the comprehensive update of this plan.
- G5-171 The County appreciates the concerns regarding lot configuration and lot size. The County will further coordinate with the community planning and sponsor groups regarding these issues. See also response to comment G5-156. While lot depth and width requirements are still part of the Subdivision Ordinance, such provisions may be waived if they don't meet the goals of the CSP pursuant to the proposed changes in Section 81.306 of the ordinance. The County acknowledges that topography and septic requirements can affect subdivision design. In addition, the specific needs for open space management will be determined based on the resources being preserved and not as a general rule for all conservation subdivisions.
- G5-172 The County acknowledges the opinion expressed in this comment. The current draft of the CSP represents the result of an attempt to build a broad consensus that addresses the issues of all stakeholders.



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**Responses to Letter G 5, Endangered Habitats League (EHL) (cont.)**

- G5-173 The County does not disagree with the interpretation of the CSP as presented in this comment. It should be noted that Rural Subdivision Design and Processing Guidelines are still applicable to any conservation subdivision.
- G5-174 The County does not agree that this requirement is necessary to implement the CSP. However, this recommendation will be included in the final documents for review and consideration by the Board.
- G5-175 The County does not agree with the proposed revisions to the draft CSP and Zoning Ordinance. However, this recommendation will be included in the final documents for review and consideration by the Board.
- G5-176 The County does not agree that this language change is necessary. However, this recommendation will be included in the final documents for review and consideration by the Board.
- G5-177 The County does not agree that this language change is necessary. However, this recommendation will be included in the final documents for review and consideration by the Board.
- G5-178 The County does not agree with the proposed revisions to the draft CSP and Subdivision Ordinance. However, this recommendation will be included in the final documents for review and consideration by the Board.
- G5-179 The County appreciates the support for the draft Rural Subdivision Design and Processing Guidelines.
- G5-180 The County acknowledges the opinion expressed in this comment. This concern will be included in the final documents for review and consideration by the Board.
- G5-181 The County acknowledges the opinion expressed in this comment. This comment will be included in the final documents for review and consideration by the Board.
- G5-182 The County appreciates this comment but does not agree that the community plans will undermine the CSP. See also responses to comments G3-29, G3-32, G5-75, G5-76, and G5-77 above.
- G5-183 The County disagrees that references to lot sizes and references to community character should be removed from community plans. See also responses to comments G3-29, G3-32, G5-75, G5-76, and G5-77 above.
- G5-184 The County acknowledges these concerns regarding community plans and the CSP and is committed to further coordination with the Endangered Habitats League to address their concerns.

## Comment Letter G 6, Farm Bureau San Diego County



## FARM BUREAU SAN DIEGO COUNTY

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August 31, 2009

Devon Muto  
County of San Diego  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123-1666

Re: San Diego County General Plan Update Draft Environmental Impact Report

Dear Mr. Muto:

G6-1.

Thank you for this opportunity to comment on the Draft Environmental Impact Report for the San Diego County General Plan Update. San Diego County's farm community is watching this process closely, as might be assumed, because farmers are heavily invested in property that would be affected by changes in land use and policy.

As a general comment the core issues for farmers are simple. They need the ability to continue farming without the threat of intrusion and erosion of their financial assets can hinder their ability to farm.

The following are our comments on Section 2.2 Agricultural Resources.

### Page 2.2-6 - Water

G6-2.

This section requires a revision as it fails to recognize that the Metropolitan Water District (MWD) Interim Agricultural Water Program is currently phasing out of existence. Growers who are in the program will lose access incrementally over a four year period and no new access to the program is allowed. At the conclusion of the program growers will be subject to MWD's full Municipal and Industrial rate structure.

G6-3.

A significant water issue that is not mentioned is the continuing decline of water quality. Total salts in imported water are rising for various reasons. As the quality of water diminishes growers experience declines in production or must take extraordinary and expensive measures to improve water quality at the farm site.

G6-4.

Page 2.2-11 - County of San Diego Code of Regulatory Ordinances Sections 63.401 and 63.402

## Comment Letter G 6, Farm Bureau San Diego County (cont.)

- G6-4. cont.** For an accurate reference it is suggested this section be re-titled to be inclusive of all Sections 63.401 through 63.407.
- Page 2.2-2 - Issue 3: Indirect Conversion of Agricultural Resources
- G6-5.** Throughout this section the term “confined animal factory” should be correctly stated as “confined animal feeding operation.”
- Mitigation Measures
- G6-6.** Agr-1.3 – A mitigation measure designed to protect farmland through a Conservation Subdivision Program must make mention that the discretionary permitting process has to be structured in a way to ensure that individuals choosing to protect farmland through this process can expect, with reasonable conditions, that a project will be allowed. Without assurances that a Conservation Subdivision application would eventually receive approval, it should not be expected that farm owners would use this tool but would, unfortunately, rely on traditional development strategies.
- Agr-1.4 - It is important to note that while a PACE program is welcomed and could be used as a valuable preservation tool, however, alone it will not accomplish the preservation that could be gained through an equity protection program.
- G6-7.** The list of mitigation measures conspicuously fails to include a program to protect the equity that farmers have in their land that would be threatened by a reduction in value due to the General Plan’s fundamental shifts in density. An equity protection program would be a key strategy to the preservation of farmland because through the implementation of models such as Transfers of Development Rights and Purchases of Development Rights incentive payments would be made available to owners of farmland in exchange for placing permanent easements on their land limiting future development. Without incentives based on pre-General Plan Update land use designations, the desire to participate will be limited and opportunities for farmland protection will be lost. Failure to suggest equity protection for farmers would lead to the need for an analysis of the financial impacts to local owners of farmland.
- Because an equity mechanism tool is important to the overall strategy to protect farmland it is inadequate to merely list it in the Areas of Controversy Known to the Lead Agency.
- G6-8.** Agr-1.5 – This measure mentions “identify specific compatible uses” but falls short of stating that incompatible uses should not be permitted in proximity to farming operations.
- G6-9.** Policy COS-6.2 – Again, as mentioned above, incompatible uses can pose a threat to farming operations. For example, allowing private schools adjacent to existing farming operations can have a detrimental impact on the ability to conduct normal farming operations due to restrictions imposed by state law. In such a case the requirement for buffers, setbacks, and project design measures may be inadequate to protect a farming operation if distance separations cannot be met. This policy needs to include wording that the County will work to discourage such incompatible uses.

**Comment Letter G 6, Farm Bureau San Diego County (cont.)**

Please accept these comments and we encourage to County to consider their merit and include in the preparation of the Final Environmental Impact Report.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Larson", written in a cursive style.

Eric Larson  
Executive Director

## Responses to Letter G 6, Farm Bureau San Diego County

- G6-1 This comment provides an introduction to the General Plan Update DEIR comments that are addressed in responses to comments G6-2 through G6-11.
- G6-2 The County appreciates this updated information on the Metropolitan Water District's Interim Agricultural Water Program. This information has been added to Section 2.2.1.5 of the DEIR under the subheading "Water" as recommended by the comment. This information does not necessitate changes in the impact analyses or the determinations of significance within the DEIR.
- G6-3 This comment suggests that the quality of imported water is declining, which affects agricultural production. While the County does not refute these statements, the comment does not provide a source from which the County can draw relevant information on the subject to include in the DEIR. Moreover, the DEIR is not required to address potential water quality issues associated with imported water. Therefore, no further response is provided.
- G6-4 The County appreciates this clarification. DEIR Section 2.2.2.3 has been revised as follows:
- "County of San Diego Code of Regulatory Ordinances Sections 63.401 ~~and~~ through 63.402407, Agricultural Enterprises and Consumer Information Ordinance"
- G6-5 DEIR Section 2.2 Agricultural Resources has been changed throughout replacing "confined animal factory" with "confined animal feeding operation", as recommended.
- G6-6 This comment appears to suggest that projects using Conservation Subdivision Program (CSP) strategies be provided assurances of approval. The County does not agree with this suggestion as it would undermine the discretionary authority that it maintains on individual projects. There are a variety of known and unknown variables that require unique consideration on every individual project and therefore such assurances are not appropriate. The County also does not agree that these assurances are necessary in order to encourage property owners to utilize the CSP. The proposed revisions to the Subdivision Ordinance included as part of the CSP will provide that encouragement, as will a property owner's desire to maximize development yield and/or preserve a viable agricultural operation. The CSP is proposed as a component of the project and would need to be approved by the Board of Supervisors in order to be a valid mitigation measure. Implementation of this program will be assured within the Mitigation Monitoring and Reporting Program.
- G6-7 This comment suggests that an equity mechanism is necessary in the overall strategy to protect farmland. The County does not agree with this comment, but notes that an equity component is being considered as part of the Purchase of Agricultural Conservation Easements (PACE) program, which is currently under development. In addition, the County disagrees that the equity mechanism tool should be further addressed in the DEIR. These responses to comments are part of the DEIR; therefore, any discussion of equity mechanisms in the responses is included in the DEIR. The County also does not agree with the suggestion that the absence of an equity mechanism requires an analysis of fiscal impacts to local



**Responses to Letter G 6, Farm Bureau San Diego County (cont.)**

owners of farmland. Fiscal impacts do not require analysis under CEQA. See also response to comment O4-3.

- G6-8 The County does not concur that DEIR mitigation measure Agr-1.5 should be changed to state that "incompatible uses should not be permitted in proximity to farming operations". The County does not prohibit uses in communities, rather identifies what allowed uses are, and if necessary puts parameters on those uses so they won't negatively impact existing land uses, such as agricultural operations. Within the proposed General Plan Update, compatibility of uses with agricultural operations is addressed under Conservation and Open Space policies COS-6.2 and COS-6.3. These policies are aimed at protecting existing agricultural operations from encroachment of incompatible uses. Mitigation Measure Agr-1.5 would facilitate implementation of policies COS-6.2 and COS-6.3 by providing community-specific detail within the community plans about particularly important agricultural areas and the types of uses that are considered compatible or incompatible given the specific agricultural operations for the area.
- G6-9 Pursuant to this comment, Policy COS-6.2 has been amended with the addition of "discourage" at the beginning of the last sentence: "Discourage development that is potentially incompatible with intensive agricultural uses..."

## Comment Letter G 7, San Diego Association of Realtors



August 31, 2009

Mr. Devon Muto, Chief  
General Plan Update  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123

Dear Mr. Muto:

G7-1.

The San Diego Association of Realtors® has identified four discrete areas of the Draft General Plan to make official comments. This includes sections of the Plan, selected chapters of the Draft EIR, selected portions of the Draft Implementation Plan, the summary of the Draft Conservation Subdivision Program, and selected responses to comment on the prior draft version of the plan.

**Issue: The Plan's use of mandatory ("shall") rather than directive ("should") or permissive ("may") language may create greater potential for the Plan to lead to horizontal and vertical inconsistencies.**

California requires that general plans be internally consistent – there can be no inconsistency between any of the elements and between any of the goals, policies, and implementation measures within each element (also referred to as "horizontal consistency"). California also requires that all of a jurisdiction's land use and development actions, including the adoption of zoning or subdivision ordinances and individual actions on proposed development projects, be consistent with the plan (referred to as "vertical consistency").

G7-2.

In setting forth its policies, the Plan relies almost exclusively on mandatory language. Based on a review of the County's response to previous comments on the Plan, the County has intentionally selected the mandatory language in response to the following guidance from the California Governor's Office of Planning and Research:

A policy carried out by implementation measures. For a policy to be useful as a guide to action it must be clear and unambiguous. Adopting broadly drawn and vague policies is poor practice. Clear policies are particularly important when it comes to judging whether or not zoning decisions, subdivisions, public works projects, etc., are consistent with the general plan.

When writing policies, be aware of the difference between "shall" and "should." "Shall" indicates unequivocal directive. "Should" signifies a less rigid directive, to be honored in the absence of compelling or contravening considerations. Use of the word "should" to give the impression of more commitment than actually intended is a common but unacceptable practice. It is better to adopt no policy than to adopt a policy with no backbone.

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## Comment Letter G 7, San Diego Association of Realtors (cont.)

- The use of mandatory language rather than less forceful directive or permissible language raises some potential for producing inconsistent provisions within different parts of the plan. Such horizontal inconsistency can occur when, for example, a mandatory policy in the housing element conflicts with a mandatory policy in the conservation element.
- G7-2. cont.** However, the plan's use of mandatory language may also have a greater potential to produce vertical inconsistency, as couching the plan policies in mandatory terms also limits the amount of flexibility local jurisdictions have to accommodate local concerns and circumstances in addressing particular projects. An example of such a situation occurred in El Dorado County, when the county approved a low-density residential subdivision, which was consistent with the land-use map, but the court found that the project was inconsistent with the mandatory policy of the county's plan that directed restrictions on the location of low-density residential uses. The use of less forceful directive or permissive language in plans creates some opportunity for the use of discretion to depart from the policy in appropriate cases, which may be favorable from the County's perspective.
- Recommendation:** The San Diego Association of Realtors® requests that the County modify the wording of these particular policies to incorporate permissive language that will allow for greater flexibility when applying to local conditions, including land use patterns, existing and planned transportation and other infrastructure, community needs, and topographic and environmental features.
- Issue: Land Use Policy LU 14.4 would restrict the extension of the sewer facilities beyond Village boundaries.**
- LU Policy 14.4, as currently drafted in the Plan, states:
- G7-3.** **"LU-14.4 Sewer Facilities.** Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond Village boundaries (or extent Urban Limit Lines) except when necessary for public health, safety, or welfare."
- The policy appears to significantly restrict the extension of sewer to areas beyond Village boundaries. However it is not written as an absolute prohibition. The policy states that it allows for the extension of sewer beyond Village boundaries "when necessary for public health, safety, or welfare." It also suggests, somewhat unclearly, the extension of sewer to Urban Limit Lines would be permissible even if those are located beyond the Village boundaries. It would be better if this point were made explicit in the wording of the policy.
- G7-4.** As a practical matter, it is conceivable that a public health exception could be used to justify extension of sewer to semi-rural subdivision, particular given the County's concern over the potential impacts of individual septic systems on water quality. On the other hand, the restriction on sewer extensions could pose a challenge to newly planned or proposed subdivisions in the semi-rural areas, particularly those in the land designates as SR 0.5 (1 dwelling unit per 0.5, 1, or 2 acres, depending on slope). One particularly troublesome implication of the restriction is the Land Use Map currently prepared as part of the Plan does not distinguish between Village Residential 2 (VR-2) and Semi-Rural 0.5 (SR -0.5). An owner of land that appears on the undifferentiated map may not be able to determine at this time if it will have the opportunity to provide sewer service to its property, because it would not know if its land is subject to the restriction.
- G7-5.** The restriction on extending sewer service may also be a significant limiting factor for non-residential uses proposed outside of the Village boundaries. Commercial, office/professional or industrial developments are all permissible in the semi-rural land designation. However, the lack of access to sewer services may decrease the opportunities for these types of development. This has implications for job growth potential and the ability to provide community services in those areas.

## Comment Letter G 7, San Diego Association of Realtors (cont.)

- Policy 14.4 also does not appear to adequately consider the potential for Village expansion, which is provided for in Land Use Policy 1.6. The wording for Policy 14.4 could be changed to explicitly recognize that the restrictions would not limit the expansion of Village boundaries that are consistent with the County's planning.
- G7-6.** To allow a clearer understanding of the potential impact of the restriction, it would be helpful if the Plan included a map that showed the proposed land use designations (Figure LU-1) with an overlay of the existing areas served by sewer (Figure H-1). This type of overlay map would allow for a better graphical depiction of the areas that would be affected by the proposed sewer restriction policy.
- G7-7.** **Recommendation:** The San Diego Association of Realtors® requests that the County revise Land Use Policy 14.4 to ensure that it can better accommodate desirable development in the semi-rural areas and areas of planned Village expansion. The County should make it clear that sewer service can be extended to Urban Limit Lines that extend beyond village boundaries. It should also clarify that sewer service may be extended to accommodate a planned expansion of Village boundaries. Also, SDAR requests that the County provide a map that includes the Land Use designations with an overlay of the areas currently served by sewer to better illustrate the potential significance of the restriction. The Land Use designations map should be updated to distinguish between the VR-2 and SR-0.5 designations.
- Issue: Does the plan provide significant opportunity for the use of clustering to qualify as a mitigation measure in the environmental review of the plan**
- Based on a review of the prior comments submitted on the previous draft of the Plan, it appears that the use of "clustering" is a contentious issue in San Diego County, particularly in rural areas. Several comment letters assessed that cluster development was inappropriate for rural areas and requested that references to clustering be removed. Despite this criticism, it appears that the County has allowed for its use through a number of policies and the Draft Implementation identifies the following measure:
- G7-8.** **5.1.2.D Conservation Subdivision.** Create a Conservation Subdivision Program that facilitates conversation-oriented project design through changes to the Groundwater Ordinance, Resource Protection Ordinance, Zoning Ordinance, and other regulations as necessary. It is intended that these changes will promote conservation of natural resources and open space (including agricultural lands) while improving the mechanisms for flexibility in project design so that production of the housing stock is not negatively impacted. Additionally, any such allowances of flexibility must be done with consideration of community character through planning group coordination and/or findings required for project approval.
- The Implementation Plan identifies the following policies from the Plan as supporting references: LU-7.2, COS-2.2, COS-3.1, COS-6.4, S-3.1, and S-3.3.
- The County, in accordance with the Implementation Plan, has drafted the Conservation Subdivision Program ("CSP"). The CSP would permit cluster-type development through several means. The first change is what appears to be a mandate for clustering and resource land protection for the large lot zoning districts (which include the Rural Land designations and the Semi-Rural 10 designations) through amendments to the County's Subdivision Ordinance. This raises potential concerns for property owners, as it removes flexibility and imposes land protection requirements as great as 75% protection of resource land in areas zoned as SR-10 and 95% protection in areas zones RL-160.
- The CSP would also allow for clustering through a change to lot design restrictions in the Subdivision Ordinance and through amendments to the Planned Residential Developments (PRD) requirements in the Zoning Ordinance. In particular, the CSP would decouple minimum lot sizes from density regulations and would allow lot size averaging. These changes could create the potential for cluster development, depending upon the particular land use designations and zoning requirements.

## Comment Letter G 7, San Diego Association of Realtors (cont.)

	<p>One additional concern about the CSP is the following statement:</p> <p style="padding-left: 40px;">It is important to not that projects proposed under the conservation subdivision program will not be allowed by-right, and consequently will require discretionary review necessitation that findings be made to assure project compatibility with community character and community plans.</p>
G7-8. cont.	<p>If CSP is mandated for the large lot designations, this suggests that there may be no significant development of such land this is permitted by right.</p> <p><b>Recommendation:</b> The San Diego Association of Realtors® requests that the County amend the CSP to provide more flexibility to property owners in the SR-10 and Rural Land designations and in particular to ensure that there are meaningful residential development opportunities under those designations that are not subject to discretionary review.</p>
	<p><b>Issue: The Draft EIR identifies alternatives to the Plan that have less environmental impacts.</b></p> <p>The Draft EIR includes a detailed discussion of the project alternatives in Chapter 4. The alternatives include the Referral Map (which represents the Land Use Map as proposed), the No Project Alternative (which assumes that the existing General Plan remains in effect), and Environmental Superior Map Alternative, a Draft Land Use Map Alternative, and a Hybrid Land Use Map Alternative. The County has indicated that, with the exception of the No Project Alternative, the Referral Map is “the most environmentally impactful alternative.”</p> <p><i>Curtain’s California Land Use and Planning Law</i> summarizes the requirement to consider alternatives under CEQA as follows:</p> <p>CEQA contains explicit requirements pertaining to approval of projects that have significant environmental impacts. Most importantly, agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen the significant environmental effects of such projects unless (1) the agency finds that changes or alternations have been required in, or incorporated into the project to mitigate significant impacts; (2) such changes are within the responsibility of another agency and have been or can or should be adopted by that agency; or (3) specific economic, social, or other considerations make the mitigation measures or project alternatives identified in the EIR infeasible.</p> <p>Therefore, in order for the County to adopt the Referral Plan (representing the Land Use Map in the current Plan), it presumably would need to: (1) determine that the alternatives to the Referral Plan are not feasible based on specific findings, or (2) adopt any feasible mitigation measures that would substantially reduce the significant environmental effects of the Referral Plan. Through the EIR process, the County would need to consider all of the proposed mitigation measure to determine whether they are effective in addressing significant environmental effects of the Referral Plan and whether each is feasible for adoption. The County would also need to analyze the different alternatives and determine if all or part of an alternative is feasible and should be adopted.</p>
G7-9.	
G7-10.	<p>The three alternatives that the Draft EIR identifies as less “impactive” on the environment all would result in the potential for fewer dwelling units to be constructed in the County. The Draft EIR indicates that each of these alternatives fails to fully meet the Plan’s objective to “support reasonable share of projected regional growth” – is derived from a statutorily required component of the housing element of the Plan. California places great emphasis on the housing element of a general plan, and has determined that “the availability of housing is a matter of ‘vital statewide importance’ and ‘the early attainment of decent housing and a suitable living environment for every Californian, including farm workers, is a priority of the highest order.’” Moreover, in light of the inability of the alternatives to meet the objective of providing the housing needed to support the County’s reasonable share of the projected regional growth, th County maybe more inclined to consider additional</p>



## Comment Letter G 7, San Diego Association of Realtors (cont.)

- mitigation measures as the means of addressing significant environmental effects, rather than turning to alternatives with lesser effects that also would reduce development capacity.
- G7-10. cont.** **Recommendation:** The San Diego Association of Realtors® supports the County's efforts to provide sufficient development capacity. It is very important that the County ensures the proposed General Plan alternatives continue to meet the object of providing sufficient development capacity.
- G7-11.** Thank you in advance for your consideration of our comments. The San Diego Association of Realtors® requests a reply which addresses the above concerns and how the EIR and General Plan can be amended to incorporate our recommendations.

Sincerely,



Erik Weichelt  
President  
San Diego Association of Realtors®



Michael T. Mercurio  
Chief Executive Officer  
San Diego Association of Realtors®

## Responses to Letter G 7, San Diego Association of Realtors

G7-1 This comment provides an introduction to the General Plan Update comments that are addressed in responses to comments G7-2 through G7-11.

G7-2 This comment focuses on the wording of the draft General Plan and does not address the adequacy of the DEIR. The County acknowledges the requirement that General Plans be internally consistent and that land use and development actions be consistent with the General Plan. The County acknowledges that the use of the more mandatory language "shall" over the permissive language "should" raises the potential to produce inconsistent provisions within different parts of the plan. For example, a mandatory policy in the Housing Element would still be subject to mandatory policies in the Conservation and Open Space Element.

The County has avoided the use of "should" because it desires a General Plan that is clear on its intent and avoids debate during application. This approach has also been supported by a number of stakeholders and commenters on the General Plan Update who have indicated that they desire clear and firm commitments to certain policies and actions.

The County appreciates the commenter's concern for future conflicts due to unforeseeable circumstances. To respond to such circumstances, the County's preference would be to address such a conflict at the time it is identified. State law allows for General Plan Amendments and the County intends to implement a process to facilitate "maintenance" amendments that are necessary to "clean up" or address such problems as they arise. Draft Implementation Plan measure 1.2.1.A, General Plan Review, has been amended with the following sentence to clarify this intent:

'Initiate "maintenance" amendments to the General Plan, as necessary, to resolve problems as they arise during implementation of the General Plan.'

Therefore, the County does not agree with the use of "should" wherever circumstances or conditions may be subject to change. This approach would result in a General Plan that is less clear and whose implementation is open to greater debate.

G7-3 This comment pertains to draft General Plan Policy LU-14.4, Sewer Facilities, and does not address the adequacy of the EIR. The draft policy has been revised as follows:

**LU-14.4 Sewer Facilities.** Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond either Village boundaries ~~(or extant Urban Limit Lines)~~, whichever is more restrictive, except:

- ~~When~~ When necessary for public health, safety, or welfare.
- When within existing sewer district boundaries; or

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**Responses to Letter G 7, San Diego Association of Realtors (cont.)**

- Where specifically allowed in the Community Plan.

- G7-4 This comment focuses on the wording of the draft General Plan and does not address the adequacy of the EIR. The comment expresses concern that the Land Use Map does not clearly distinguish between Village Residential 2 (VR-2) and Semi-Rural 0.5 (SR-0.5) and that this could cause confusion when determining if the property has the opportunity for sewer service. The County does not agree that the VR-2 and SR-0.5 are not clearly distinguished on the Land Use Map as these designations are shown as different colors. Also, Village boundaries will be clearly shown in community plans to provide further clarification of the limits of sewer expansion.
- G7-5 This comment focuses on the wording of the draft General Plan and does not address the adequacy of the EIR. Please refer to response to comment G7-3 regarding changes made to Policy LU-14.4.
- G7-6 This comment focuses on the wording of the draft General Plan and does not address the adequacy of the EIR. Please refer to response to comment G7-3 regarding changes made to Policy LU-14.4.
- G7-7 This comment focuses on the wording of the draft General Plan and does not address the adequacy of the EIR. Policy LU-14.4 has been revised as discussed in response to comment G7-3 above.
- G7-8 The County does not concur that the Conservation Subdivision Program (CSP) raises undue concerns on property owners by requiring 75 to 95 percent of sensitive environmental resources to be avoided when subdividing in densities ranging from Semi-Rural 10 (SR-10) to Rural Lands 160 (RL-160). The intent is to facilitate subdivisions at these densities while minimizing the impact to sensitive environmental resources. As a worst-case scenario, assuming that an entire parcel designated SR-10 is constrained by sensitive environmental resources; the property could still be subdivided with lots sized at approximately 2.5 acres each.
- The County acknowledges that, when subdividing the property, there is no development allowed by-right. The County further acknowledges the recommendation that more flexibility be provided in the CSP for property owners when subdividing in the SR-10 and Rural Lands designations. This comment will be included in the final documents for review and consideration by the Board.
- G7-9 The County concurs with the summary CEQA requirements provided in this comment. This information is not at variance with the existing content of the DEIR.
- G7-10 The County acknowledges the commenter's support for the County's efforts to provide sufficient development capacity.
- G7-11 The County acknowledges that the commenter is requesting a reply that addresses the concerns addressed in the letter.

**Comment Letter G 8, Save Our Land Values (SOLV)**

**S. O. L. V.**  
**(SAVE OUR LAND VALUES)**  
1923 Bedford Place  
Escondido, California 92029

Mr. Devon Muto  
Chief Project Manager for the General Plan Update  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, California 92123

Re: Comments from S. O. L. V. pertaining to the Environmental Impact Report (EIR) for the General Plan Update for the Unincorporated San Diego County area

Dear Mr. Muto:

G8-1.

In my opinion the draft EIR is inadequate for the purposes of CEQA analysis as it fails to analyze the economic effects of the downzoning on property owners and farmers throughout the unincorporated area and in particular the "back" County area. The loss through downzoning of an estimated 33,000 dwelling units is not "insignificant and as such its economic effects need to be thoroughly analyzed.

G8-2.

By separate correspondence submitted in my comments to the General Plan Update I have suggested a Transfer of Development Rights Program to compensate property owners and farmers that have lost density because of the downzoning process. If this program were to be adopted as part of the General Plan Update the need for an economic analysis within the Draft EIR would perhaps be eliminated.

Sincerely,

  
David R. Shibley

**Comment Letter G 8, Save Our Land Values (SOLV) (cont.)**

**S. O. L. V.  
(SAVE OUR LAND VALUES)  
1923 Bedford Place  
Escondido, California 92029**

Mr. Devon Muto  
Chief Project Manager for the General Plan Update  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, California 92123

Re: Comments from S. O. L. V. pertaining to the General Plan Update for the Unincorporated San Diego County area

Dear Mr. Muto:

G8-3.

The S.O. L. V. Organization I represent has two major comments and they are (1) lack of equity compensation for the estimated 33,000 dwelling units downzoned during the General Plan Update (GPU) process and (2) failure to conduct an economic analysis of the disastrous economic effects of the downzoning, specifically to the “back” County and other areas throughout the entire unincorporated area caused by the downzoning. Particularly hard hit are property owners and farmers.

G8-4.

The intent of the GPU was to reduce development densities in the rural areas of the unincorporated area and shift that reduced density closer to or within the incorporated Cities lying in the western areas of the County and within Village areas such as Ramona, Fallbrook and Valley Center located in the more western part of the unincorporated County and in most cases west of the County Water Authority Line. Appropriate infrastructure to support the growth in the Village areas was assumed to be cheaper as density within the Villages would be concentrated, supposedly making infrastructure and transportation cheaper and transportation facilities would not need to be extended into the far east county areas. The net effect would be concentrated densities within Villages, much lesser densities in Rural Villages



## Comment Letter G 8, Save Our Land Values (SOLV) (cont.)

- G8-4. cont. east of the County Water Authority Line and large open space areas between the Villages and Rural Villages.
- G8-5. As currently drafted the GPU accomplishes the above, but at what cost? Downzoned property owners and farmers have been stripped of their land value and seventeen Rural Villages east of the County Authority Line (CWA) have been left to wither and die like unpicked fruit. Instead of a string of sustainable Villages and Rural Villages and open areas between we end up with viable Villages west of the CWA line and a vast no man's land east of the CWA line as the Rural Villages will simply not be self sustaining. When the GPU commenced not a lot of activity was taking place east of the CWA line. That has changed with events such as the Sunrise Power Link project and planned solar and wind projects, increased Indian gaming facilities and other Indian Tribal development and increased border scrutiny throughout the back County. These events call for additional housing and retail facilities for those employees supporting gaming facilities, solar and wind projects and those protecting our borders. In affect the transportation and housing demands may be somewhat reversing and instead of back County folks driving to work in Cities or choosing to live within Cities; additional housing and additional sustainable rural villages may be more desirous east of the CWA line. Having sustainable rural villages in the far east county would preclude the necessity of those living there or in areas around the rural villages having to commute to large Villages or the incorporated cities for routine retail services, etc. Under my proposed concepts below, the County can still achieve the objectives of the GPU only the County will have a "string" consisting of more sustainable connected communities.
- G8-6.
- G8-7. My personal opinion is that unless changes are made to the proposed GPU that address the equity issue and the back County issue the GPU and the EIR will be challenged in the courts. If the challenge is unsuccessful in the courts then the next step will be a initiative/referendum and hands down a referendum would be successful as every day the general public becomes more disenchanted and angry with government in general. That will only increase as bailouts continue, government programs are eliminated, the proposed health care agenda rages on, and if the Federal Government tackles the immigration issue next year dissatisfaction with government at all levels will be monumental. I also feel that if the Board of Supervisors does not address the back County and the equity issue and if an initiative/referendum prevails or does not prevail the back lash may be that several Supervisors will lose their seats at election time.
- G8-8. However; with that said I offer the following solution that I believe can correct the equity issue and the abandonment of the Rural Villages east of the CWA line. If this solution or something similar were to be incorporated into the ongoing GPU then the County may avoid the challenges and court actions that I am sure will be forthcoming if the GPU is adopted as currently proposed. My hope is these changes could be accomplished within the existing framework of what is already proposed thus not slowing down the ongoing process.

## Comment Letter G 8, Save Our Land Values (SOLV) (cont.)

G8-8.  
cont.

**SOLUTION OVERVIEW:** Incorporate within the GPU and the Implementation Plan a Transfer of Development Rights program and Purchase of Development Rights whereby the 33,000 downzoned dwelling units and other units lost by government action, (that I will explain below), are placed into a “bank” administered, created, written and controlled by the County. Then revisit the Rural Village areas (about 17) east of the CWA line and designate them as receptor/donor areas for development rights transferred out of the bank on a priority basis over development rights placed in the bank by government acquisition actions such as parks, open space, conservation easements, agriculture easement, road widening, and private acquisitions by environmental conservation organizations. Prices would be determined by free market negotiations between Sellers of the Rights and procurers of the Rights. The County would simply act as a facilitator and a tracker of Rights placed into and sold out of the bank and be the agency that determines placement of the transferred units in accordance with the Updated General Plan. This will also be applicable to General Plan Amendments approved by the Supervisors proposing Master Planned Communities that exceed existing densities within the Master Planned area. This could be more politically palatable than creating additional density out of thin air as currently done. The intent is to over the years to end up with a chain of sustainable villages and rural villages throughout the back County and large areas of open space between as downzoned owners between the Villages and Rural Villages would have incentive to transfer their development rights into the Rural Villages or new Master Planned Communities. The County in consultation with the sponsor/planning groups that the 17 rural villages are located in would have to determine what the land form and the community would accept in regards to density. Creating of the bank will establish a “pool” of lost or unused density that could be drawn upon to satisfy the County’s affordability units quotas and senior housing needs. I also envision the bank as a tool for greater coordination between SANDAG and the County in placing sustainable communities throughout the unincorporated area and meeting housing goals.

**SOLUTION SPECIFICS:** Create the bank as a separate section within the County Department of Planning and Land Use (DPLU) and task DPLU with writing and administering the bank. The units (development rights) to be placed in the bank shall be as follows and the Development Rights with priority to be sold first are those Rights deposited yearly by downzoned property owners and DPLU shall determine the order of priorities thereafter. My suggested priorities follow the numbers below.

- (1) At GPU adoption all downzoned property owners (the 33,000 lot dwelling units) would be assigned the new general plan update (GPU) zoning category with a special annotation showing the density that existed prior to GPU adoption and if the old General Plan density is greater than the new, than the difference between the two can be placed into the bank on a yearly basis with the potential for sale. The density is specific to the land and not the land owner, consequently if ownership of the land

**Comment Letter G 8, Save Our Land Values (SOLV) (cont.)**G8-8.  
cont.

changes the density provisions stay with the land until such time the density is sold and retired or transferred to another property and when that happens the special annotation is removed from the land. After the GPU is adopted it will take at least one year for the County to complete the implementing ordinances and zoning assignments. Annually thereafter DPLU will send a notice to each downzoned owner asking if they would like to place any of their development rights into the bank for a year. Owners may come to DPLU anytime of the year to deposit development rights but will have to renew the request yearly and sale priority will be determined by the time and date of deposit. For many owners it may be years before they have a need or desire to deposit development rights into the bank for sale, but in the interim their land value remains intact allowing farmers and owners to use the value for loan purposes. If after the GPU is completed an owner elects to develop his downzoned property under the old general plan density and submits a formal tentative map application then DPLU shall evaluate and determine the density difference and determine if the owner shall be allowed to proceed with the map as submitted or DPLU mandates development at the GPU reduced density and agrees to compensate the owner for the lost density at recordation of the final map. Compensation shall be based on the comparative price of development rights being sold out of the bank or by appraisal.

- (2) Agriculture Conservation easements. Acquiring entities shall have the option of permanently retiring any purchased density or making the yearly deposit of density into the bank in the same way as downzoned property owners. However, compensation for sale of the density shall only be achievable after compensation is paid to any downzoned property owner that has deposited units for that particular year.
- (3) Open Space and Conservation easements including those acquired by private environmental groups. The private groups shall have the option of permanently retiring any purchased density or making the yearly deposit of density into the bank in the same way as downzoned property owners. However, compensation for sale of the density shall only be achievable after compensation is paid to any downzoned property owner that has deposited units for that particular year. This is a method whereby private environmental groups can "parley" acquired and sold density into funds for further acquisition.
- (4) Parks and this is not a small number of development rights as the County has an ongoing process of acquiring land for parks, such as the 55 mile trail all the way from Del Mar to Palomar Mountain and the San Luis Rey River Park.
- (5) Road widening such as the many parcels affected by widening of route 76.

G8-9.

**MONITORING OF THE BANK AND GENERAL PLAN DEVELOPMENT:** How can you tell where you are going if you do not know where you have been? Consequently I suggest a yearly public update requirement to the Supervisors that covers the unincorporated area as a whole and an update for each Community Sponsor Group and Planning Area. I also request that this

**Comment Letter G 8, Save Our Land Values (SOLV) (cont.)**G8-9.  
cont.

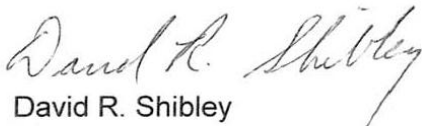
requirement be placed in the Implementation Section of the General Plan Update and that the update specifically includes the following:

- a. Number of dwelling units authorized at General Plan buildout
- b. Number of units currently existing
- c. Number of units entitled during the review year by tentative map and final map
- d. Number of units completed and issued occupancy permits during the review year individually or within subdivisions
- e. Number of units "lost" during the plan year by open space/conservation easement acquisition by the public or private environmental conservation groups, park acquisition, agricultural conservation easements and road widening. Easements, open space environmental or agricultural required as part of a specific project approval shall not be included in this category nor shall road frontage widening required as part of a specific project approval, as those units are transferred elsewhere within an approved project and thus not "lost".
- f. Number of dwelling units remaining to reach buildout after applying b. through e.

G8-10.

**SUMMARY:** The monitoring requirements provide transparency to governmental actions and clearly indicate progress status to the general public, Supervisors and the Community Sponsor and Planning Groups. Establishing the bank and density transfer program establishes sustainable rural villages in the "back" county, provides equity to property owners throughout the entire unincorporated area thus eliminating the two areas of the General Plan Update that are most susceptible to litigation.

Sincerely,

  
David R. Shibley

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**Responses to Letter G 8, Save Our Land Values (SOLV)**

- G8-1 The County does not agree that the DEIR is inadequate for the purposes of CEQA due to lack of analysis of economic effects resulting from reduction of density when compared to the existing General Plan. Social and economic effects under CEQA need not be considered in an EIR. See CEQA Guidelines section 15064(e). See also responses to comments I2-1 through I2-4.
- G8-2 The County acknowledges that additional comments on the General Plan Update were provided in a separate document. The County does not agree that there is any need for an economic analysis in the DEIR (see response to comment G8-1 above).
- G8-3 This comment provides an introduction to the comments that are addressed in responses G8-4 through G8-10. It does not raise a significant environmental issue for which a response is required.
- G8-4 This comment summarizes some of the primary General Plan Update planning objectives, but does not provide a substantive comment for which a response is required.
- G8-5 The comment suggests that the project will cause Rural Villages east of the County Water Authority boundary to be unsustainable and become “a vast no man’s land.” The County does not agree with this comment and has found that sufficient growth is being accommodated by the General Plan Update in Rural Village areas. In fact, backcountry communities will still have the potential for growth increases of 50 to 100 percent under the General Plan Update. The commenter provides no evidence or reasoning to support the claims in the comment, therefore, further response cannot be provided.
- G8-6 The County does not agree with this comment. The proposed General Plan accounts for all of the land uses in the backcountry, including federal and tribal uses. The General Plan Update proposes approximately 3,500 homes in the Mountain Empire Subregion alone, which is substantially more than the employment base seeking homes in the area.
- G8-7 This states a personal opinion by the commenter concerning the likelihood of the General Plan Update being challenged in the courts; therefore, a response is not required.
- G8-8 The County acknowledges the equity mechanism proposed by the commenter for the General Plan Update; however, does not agree that it is feasible to implement. While the proposed equity mechanism would allow units in the backcountry downzoned by the General Plan Update to be placed into a “Development Bank, the County does not agree that sufficient receiver sites are available. First, many of the Rural Villages that would act as receiver sites do not have significant infrastructure capacity to warrant expansion, especially on the magnitude that could be allowed under the proposed equity mechanism. These villages include areas like Pine Valley or Julian, which are historically developed and would not support extensive expansion. Second, these units would be over and above what was studied in the DEIR for the General Plan Update, and any such transfer would require a general



## **Responses to Letter G 8, Save Our Land Values (SOLV) (cont.)**

- plan amendment to be implemented, which is a significant requirement for any development project.
- G8-9      The County appreciates the suggestions for monitoring the progress for implementing the General Plan Update, after adoption. The County will consider these recommendations when developing draft Implementation Measure 1.2.1.A General Plan Review. This measure outlines the annual progress reviews and preparation of an annual status report on the implementation of the General Plan.
- G8-10     This comment provides concluding remarks for which a response is not required.

## Comment Letter G 9, Sierra Club – San Diego Chapter

From: Carolyn Chase [mailto:cdchase@sdearthtimes.net]  
 Sent: Monday, August 31, 2009 6:25 AM  
 To: DPLU, gpupdate  
 Subject: County General Plan comment

- G9-1. These comments on the County General Plan EIR are submitted on behalf of the San Diego Chapter of the Sierra Club.
- G9-2. What is the County's estimate for transit needs to planned Village Centers and other high-density developments?
- G9-3. What does the County say is the minimum threshold of trips - from a residential setting and from an employment setting that would trigger a need for transit services and what would trigger it?
- G9-4. What assumptions does the EIR make related to transit ridership and/or transit service expansions?
- G9-5. If the County is assuming any increases in transit ridership and/or transit service expansions - what impacts do they have when calculating VMTs and ADTs?
- RE: CONCLUSION from Page 32 Appendix K - County of SD GHG Emissions Inventory
- D. CONCLUSIONS**
- ... achievement of the reductions in GHG emissions for the County required by AB 32 is possible. While the above calculated reductions rely heavily on existing and anticipated State programs and mandates, regional efforts, or other action by entities outside the control of the County of San Diego, the County maintains a significant role in supporting the needed reductions in order to meet its target. County programs that will have the greatest effect in its operations and the community at large are those related to reducing vehicle miles traveled, increased use in hybrid and alternative fuel vehicles, and energy efficiency of new and existing homes and businesses. The County's General Plan Update goals and policies and implementing programs support these concepts and many more.
- G9-6. In this conclusion: "County programs that will have the greatest effect in its operations and the community at large are those related to reducing vehicle miles traveled," but the plan proposes:
- "The proposed project would result in a total of 5,237,405 ADT while under the existing condition the ADT is 3,142,851. Implementation of the proposed project would result in a 66 percent increase in ADT as compared to the existing condition of the unincorporated County."
- These statements are inconsistent.
- G9-7. While increasing zoning for "villages" is appealing for development, what is the assumptions and any evidence that those new villages will actually have reduced car trips? Greatly increasing the lane miles, ADTs and VMTs is counter to scenarios for compliance with AB32 which all list reducing VMT as necessary.
- G9-8. Were there any other mitigation measures that were considered to reduce VMT/ADT?

**Comment Letter G 9, Sierra Club – San Diego Chapter (cont.)**

**G9-9.** Is the County is arguing that by comparing plan to plan: reducing zoning /removing 30,000 units from the existing plan, there are somehow not significant impacts of increasing zoning in other locations?

**G9-10.** There is more likelihood that the new units will be built, while the units being removed, not only have not been built, but are likely to never have been built. Doesn't comparing plan to plan give an illusion of a reduction? (since that existing plan and related ADTs/VMTs will never and did never exist).

**G9-11.** Comparing plan to ground shows significant impacts and increases in VMT, ADT and greenhouse gas emissions.

**G9-12.** Did the County consider mitigations to improve transit services in order to reduce VMT/ADT

Thanks for consideration of these comments.

Carolyn Chase

Sierra Club representative to the General Plan Update Interest Group

## Responses to Letter G 9, Sierra Club – San Diego Chapter

G9-1 This comment is introductory in nature and does not raise a significant environmental issue for which a response is required.

G9-2 This comment asks for the County's estimate for transit needs to proposed Village centers and areas proposed for high-density development. The planned Village Centers are intended to enhance opportunities for increased transit services by centralizing transit demands to more focused locations which ultimately can be more easily and efficiently served by transit. Assumed transit facilities needs within the unincorporated County areas are consistent with those identified in the SANDAG Regional Transportation Plan (RTP), including the following:

- Investment in key travel corridors to bring existing bus services up to a service goal of 15 minutes or better all-day service frequencies
- Expanded Bus Rapid Transit (BRT) routes to facilitate longer distance trip making
- Expanded shuttle bus services to provide intra community circulation
- Enhanced transit priority measures to make transit more competitive with the automobile
- Expanded senior and human service transportation

Mitigation measure Tra-6.5 in Section 2.15.6.6, Issue 6: Alternative Transportation, addresses the needs identified by SANDAG. Mitigation measure Tra-6.5 requires coordination with SANDAG, Caltrans, and transit agencies to expand the mass transit opportunities in the unincorporated county and to review the location and design of transit stops. The measure also requires the County to establish a DPLU transit coordinator to ensure land use issues are being addressed.

G9-3 DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading Methodology of Traffic and Circulation Assessment describes two sets of roadway segment level of service (LOS) standards and significance thresholds that were utilized for the unincorporated roadway analysis. The existing County of San Diego LOS standards and thresholds (see DEIR Table 2.15-3, County of San Diego Current Roadway Segment Daily Capacity and LOS Standards) were used to evaluate existing conditions while the proposed General Plan Update Mobility Element LOS standards and thresholds (see DEIR Table 2.15-19, Proposed Roadway Segment Daily Capacity and LOS Standards) were used to evaluate future conditions. In the unincorporated County, LOS D is considered the minimum acceptable LOS for County roadway segments per the County of San Diego Guidelines for Determining Significance, Transportation and Traffic. Therefore, existing roadways that are at LOS E, as shown in DEIR Table 2.15-3, would trigger the need for operational improvements. The minimum number of Average Daily Trips (ADT) for this LOS level varies depending on the classification of the roadway within the existing Circulation Element. Similarly, roadways proposed under the General Plan Update that would operate at LOS E as shown in Table 2.15-19, would trigger the need for operational improvements. The minimum ADT for LOS E varies depending on the classification of the roadway within the proposed Mobility Element.

**Responses to Letter G 9, Sierra Club – San Diego Chapter (cont.)**

Appendix G, Traffic and Circulation Assessment, also identifies the above described standards and thresholds. Current County standards and thresholds are identified in Table 2.3, Current Roadway Segment Daily Capacity and Level of Service Standards, of Appendix G. Proposed standards and thresholds used for the future conditions analysis are identified in Table 2.4, Proposed Roadway Segment Daily Capacity and Level of Service Standards, of Appendix G. The DEIR also establishes triggering requirements for new roadway improvements in General Plan Update Policy LU-12.2, Maintenance of Adequate Services, and General Plan Update Policy M-2.1, Level of Service Criteria.

Regarding other transportation services that serve the unincorporated County, including buses, trolleys and trains, the SANDAG 2030 Regional Transportation Plan is the regional planning document that determines development strategies for new transit systems and manages existing transit systems. The SANDAG 2030 Regional Transportation Plan contains an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system in the region. Rather than a set threshold, the SANDAG 2030 Regional Transportation Plan uses priorities to identify how much transit network can be built, operated and maintained viably in the County. The recommendations from past and current regional and corridor transportation studies are integral to the identification of priorities, which serve as the basis for the transit improvements identified in the SANDAG 2030 Regional Transportation Plan. Chapter 6 of the SANDAG 2030 Regional Transportation Plan, Systems Development: More Travel Choices, describes the Plan's priorities for future regional transportation infrastructure and service improvements. This chapter also includes sections on transit, highways and arterials, intercity and high-speed rail, border improvements, good movement and intermodal facilities, aviation, and regional bikeways. As discussed in DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under heading Regional Roadway Facilities, the SANDAG 2030 Regional Transportation Plan was based upon the SANDAG Regional Growth Forecast, which accounted for similar population growth and distribution as identified in the General Plan Update.

It should be noted that the DEIR also includes a number of General Plan Update policies and mitigation measures that encourage coordination between public transit providers and the County. These policies would assist in ensuring proper transit facilities are provided: Policy M-8.1, Transit Services for Transit-Dependent Populations; Policy M-8.3, Transit Stops that Facilitate Ridership; and Policy M-8.5, Improved Transit Facilities. Additionally, mitigation measure Tra-6.5 requires coordination with transit agencies so that mass transit opportunities can be expanded and proper transit facilities are provided.

- G9-4 Regarding roadways, assumptions incorporated into the traffic forecast and modeling are summarized in DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading Methodology of Traffic and Circulation Assessment. The DEIR provides further description of the roadway assumptions used in Appendix G, Traffic and Circulation Assessment under Section 2.0, Approach and Methodology. See response to comment G4-3 above for additional information.



**Responses to Letter G 9, Sierra Club – San Diego Chapter (cont.)**

- Regarding other transit services, such as buses, trolleys and trains, the proposed project would be consistent with the proposed transit ridership and service expansions identified in the 2030 SANDAG Regional Transportation Plan, which is the regional planning document that determines development strategies for new transit systems and manages existing transit systems. The SANDAG 2030 Regional Transportation Plan was based upon the SANDAG Regional Growth Forecast, which accounted for similar population growth and distribution as identified in the General Plan Update. See response to comment G4-3 above for additional information.
- G9-5 Regarding transit ridership and service increases and their impact on roadway VMT and ADT, the DEIR assumed full build-out of the proposed project and utilized the SANDAG Series 10 traffic model, which incorporated transit assumptions consistent with the SANDAG 2030 Regional Transportation Plan. Therefore, the DEIR assumes the proposed project will be consistent with the transit ridership and service increases identified in the SANDAG 2030 Regional Transportation Plan. See responses to comments G4-3 and G4-4 for a discussion of the transit service assumptions used in the DEIR.
- G9-6 The County disagrees with the comment, which refers to two statements presented in the DEIR and concludes that they are inconsistent. The first statement is taken from Appendix K, Draft 2009 Greenhouse Gas Emissions Inventory, under the heading D, Conclusions, and is restated below.
- “County programs that will have the greatest effect in its operations and the community at large are those related to reducing vehicle miles traveled.”
- The second statement is taken from DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading Projected Trip Generation, and is restated below.
- “The proposed project would result in a total of 5,237,405 ADT while under the existing condition the ADT is 3,142,851. Implementation of the proposed project would result in a 66 percent increase in ADT as compared to the existing condition of the unincorporated County.”
- The County disagrees with the conclusion that these two statements are inconsistent. As discussed in Section 2.15.1.1., Unincorporated County, under the heading of Existing Roadway Network Performance, and restated below, ADT and VMT are two separate measures used to evaluate traffic conditions.
- “VMT refers to the number of vehicle miles that occur daily on the existing roadway system, by area or community, while ADT refers to the average daily traffic volume that occurs on the existing roadway system, by area or community”.
- It is possible for ADT to increase and VMT to decrease. Therefore, because VMT and ADT are separate measures used to evaluate traffic conditions, the above statements are not inconsistent. The General Plan Update includes multiple policies to reduce VMT. Specifically, Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, identifies the following General Plan Update policies related to

## Responses to Letter G 9, Sierra Club – San Diego Chapter (cont.)

reducing VMT: Policy LU-5.1, Reduction of Vehicle Trips within Communities; Policy LU-10.4, Commercial and Industrial Development; Policy LU-11.8, Permitted Secondary Uses; and Policy M-9.2, Transportation Demand Management.

- G9-7 This comment requests evidence that new village development would reduce car trips. New village development would include mixed land uses, as described under the Regional Categories and Land Use Designations subheading of Section 1.7.1.1, Land Use. Mixed use land uses have been shown to have the potential to reduce both the number and length of automobile trips by providing residences and amenities in close proximity and reducing the need for additional, or lengthier, car trips. While the number of trips made by people generated by individual land uses may be similar to free-standing sites, the potential for interaction among on-site activities can significantly reduce the total number of these trips that would be made by vehicle. The diversity of land uses within close proximity encourages visitors to make trips within the site by foot, even if they arrive to the area by car. Therefore, car trips would be reduced.

The anticipated reduction in vehicle trips is evidenced in the set of smart growth design guidelines recently released by SANDAG, titled *Designing for Smart Growth, Creating Great Places in the San Diego Region* (June 2009). The guidelines propose parking policies and design guidelines which are cognitive of the reduced vehicle trip demands associated with smart growth developments, such as the proposed village centers. Additionally, substantial state and national research has been conducted or is underway by Caltrans, the Institute of Transportation Engineers (ITE), the Urban Land Institute (ULI), and the Transportation Research Board (TRB), all of which support the concept of reduced vehicular demands associated with mixed use developments.

- G9-8 The County disagrees with the statement that increasing lane miles, ADT or VMT is counter to all scenarios for compliance with AB 32. The AB 32 regulation does not restrict or mention, ADT, VMT or lane miles. Additionally, the December 2008 Climate Change Scoping Plan, pursuant to AB 32, recommends 18 multiple emission reduction measures that provide scenarios for achieving AB 32 goals. Of the 18 strategies listed, only one measure, Regional Transportation-Related Greenhouse Gas Targets, discusses VMT, ADT or lane miles. Therefore, the commenter is incorrect in stating that all scenarios for achieving AB 32 require a reduction in VMT, ADT or lane miles.

The DEIR identifies multiple General Plan Update policies related to reducing VMT, including: Policy LU-5.1, Reduction of Vehicle Trips within Communities; Policy LU-10.4, Commercial and Industrial Development; Policy LU-11.8, Permitted Secondary Uses and Policy M-5.1, Regional Coordination. This DEIR section also identifies mitigation measure Tra-1.1, which encourages the increase in different modes of travel. DEIR Section 2.15.6.6., Issue 6: Alternative Transportation, includes the following policies related to reducing VMT: Policy M-8.6, Park and Ride Facilities; Policy LU-5.4, Planning Support; Policy LU-9.8, Village Connectivity and Compatibility with Adjoining Areas; Policy LU-11.6, Office Development; Policy M-8.2, Transit Service to Key Community Facilities and Services; Policy M-8.3, Transit

## Responses to Letter G 9, Sierra Club – San Diego Chapter (cont.)

Stops that Facilitate Ridership; and Policy M-9.2, Transportation Demand Management. This DEIR section also includes the following mitigation measures that encourage the use of alternative transportation with the intention of reducing VMT: Tra-6.1, Tra-6.3, Tra-6.4, and Tra-6.5. DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, and DEIR Section 2.15.6.2: Issue 2: Adjacent Cities Traffic and LOS Standards, also include a discussion of additional mitigation measures related to reducing VMT that were considered but determined to be infeasible.

- G9-9 The County disagrees with the commenter's suggestion that the DEIR provides a "plan to plan" comparison, which would compare the existing County General Plan to the proposed project. The DEIR has been prepared in accordance with CEQA Guidelines Section 15126.2, Consideration and Discussion of Significant Environmental Impacts, which requires the following:

"In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development) health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services."

Consistent with the CEQA Guidelines, the DEIR analyzes the proposed project's impact on environmental conditions that existed at the time the Notice of Preparation was circulated for public review (April 2008). This is considered a "plan to ground" impact analysis, rather than a "plan to plan" analysis that was suggested by the commenter. Chapter 4.0, Project Alternatives, provides the only "plan to plan" analysis in the DEIR, because it compares the impacts of the No Project Alternative (existing County General Plan) to the proposed project (General Plan Update).

- G9-10 The County does not agree with this comment concerning the likelihood of new units being constructed under the proposed General Plan Update as compared the existing County General Plan because it is speculative and provides no supporting evidence. Further, this comment does not raise a significant environmental issue for which a response is required.
- G9-11 The County disagrees that the DEIR provides a "plan to plan" analysis, except in Chapter 4.0, Project Alternatives, which compares the impacts of the No Project Alternative (existing County General Plan) to the proposed project (General Plan Update). The County agrees with the portion of this comment regarding the need for a plan to ground analysis. As discussed in response to comment G9-9, the DEIR prepared a plan to ground analysis in accordance with CEQA Guidelines Section 15126.2. Significant impacts were identified in various DEIR sections, including Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS, which determined

**Responses to Letter G 9, Sierra Club – San Diego Chapter (cont.)**

that the proposed project would result in a significant impact associated with increases in VMT and ADT. In addition, DEIR Section 2.17.3.1, Issue 1: Compliance with AB 32, determined that the proposed project would result in a significant impact associated with an increase in greenhouse gas emissions. Please refer to response to comment G4-9 for additional information regarding the plan to ground analysis included in the DEIR.

- G9-12      The County did consider mitigations to improve transit services in order to reduce VMT and ADT. DEIR Section 2.15.6.6, Alternative Transportation, provides a list of General Plan Update policies and mitigation measures that would reduce VMT and ADT in the County by promoting walking, biking or alternative transportation use. These include: Policy LU-5.1, Reduction of Vehicle Trips with Communities; Policy LU-5.4, Planning Support; Policy LU-11.6, Office Development; Policy M-8.1, Transit Service for Transit-Dependent Populations; Policy M-8.3, Transit Stops that Facilitate Ridership; Policy M-8.7, Inter-Regional Travel Modes; Policy M-9.2, Transportation Demand Management; and mitigation measures Tra-6.1, Tra-6.3, Tra-6.4, and Tra-6.5.